

PLANNING REPORT  
ORO RIDGE CORP.

To

Addendum Report of March 7<sup>th</sup>, 2008  
Paradise Springs Inc.

&

Planning Report of June 2006  
Paradise Springs Inc.

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**Proposal for  
Water Loading Facility**

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**Part Lot 9, Concession 14  
Municipality of Grey Highlands**

Prepared for:  
Oro Ridge Corp.

**OCTOBER 2012**

**DCS** D.C. Slade Consultants Inc.  
Planning & Development  
243 HURONTARIO STREET, COLLINGWOOD, ON  
705.444.1830

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- Appendix 4: Planning Report PL.08.52 prepared by Municipality of Grey Highlands dated September 15, 2008
- Appendix 5: Planning Report PL.08.52 prepared by Municipality of Grey Highlands dated July 8, 2008
- Appendix 6: Committee of Adjustment Decision B.05.2008 dated August 18, 2008
- Appendix 7: Authorization by Oro Ridge Corp. dated July 23, 2012 to D.C. Slade Consultants Inc. as to ownership of lands and authorization to act as agent

# PLANNING REPORT

## ORO RIDGE CORP.

### 1.0 Background

Oro Ridge Corp. has recently acquired ownership of the lands formerly owned by Paradise Springs Inc. located on Part Lot 9, Concession 14, Municipality of Grey Highlands. Oro Ridge Corp. wishes to reactivate the Amendments to the County of Grey and Municipality of Grey Highlands' Official Plan and the Amendment to the Municipality of Grey Highlands' Comprehensive Zoning By-law. The purpose of these Amendment applications is to permit a water loading facility on the subject lands. The original submission by Paradise Springs Inc. was made in June of 2006 and the formal public meeting on these applications was held May 17<sup>th</sup>, 2007. In response to the comments received at the formal public meeting and comments received from government agencies, an Addendum Planning Report was prepared by D.C. Slade Consultants on March 7<sup>th</sup>, 2008. This report addressed comments from the Municipality, circulated government agencies and the general public.

Planning Reviews were prepared by the Municipality of Grey Highlands on July 8<sup>th</sup>, 2008 and September 15<sup>th</sup>, 2008. Both reviews supported Paradise Springs Inc.'s application subject to meeting a list of requirements. Subsequently, a further submission was made to the Municipality by D.C. Slade Consultants Inc. on October 31<sup>st</sup>, 2008 which addressed the outstanding issues outlined within the Planning Reviews. The only outstanding issue was the negotiation of an acceptable Development Agreement to both parties in regards to the haul route for the water loading facility. (See attached appendices)

### 2.0 Status of Applications

D.C. Slade Consultants Inc. and the proponent, met with the Municipality of Grey Highlands and the County of Grey this past spring (2012) in regards to the status of the existing applications. The County of Grey confirmed that the application for an Amendment to the County of Grey Official Plan is still valid. The Municipality of Grey Highlands also confirmed that the applications for an Amendment to the Grey Highlands' Official Plan, Amendment to the Zoning By-law of Grey Highlands and the Site Plan are valid. The Municipality of Grey Highlands informed the proponent that the Consent Application had been approved with conditions however approval has lapsed. The severance application was required to merge two lots formerly owned by Paradise Springs Inc. into one lot. This was a requirement of the Municipality.

Oro Ridge Corp.

Addendum Planning Report

Prepared by: D.C. Slade Consultants Inc.

September 25<sup>th</sup>, 2012

The Permit to Take Water from the Ministry of the Environment has lapsed. At one time, "Permit To Take Water" were granted for up to ten years but in more recent years, the permits were only granted on a basis of two year intervals. Based upon the length of inactivity with this file, the Permit To Take Water has lapsed.

### 3.0 Proposal

Oro Ridge Corp. proposal remains the same as previously submitted by Paradise Springs Inc. This proposal is to establish a Water Loading Facility on Part of Lot 9, Concession 14 which will involve the extraction of water on site and pumped into an on-site reservoir. The water will be contained until transported from the site by tanker truck to customers off site. The market for this water will generally be in the Greater Toronto region area. The only modification to the proposal that is presently before the Municipality of Grey Highlands is to reduce the quantity of water extracted per day from the 112,320 liters to 49,000 liters per day. The removal of less than 50,000 liters per day does not require a Permit to Take Water from the Ministry of the Environment. Therefore, the reactivation of the previous Permit to Take Water is not necessary nor is it required.

This modification will result in the reduction of truck traffic associated with the hauling of the bulk water. There will be an average of one truckload of water being hauled from the site per day.

The existing proposal otherwise remains unchanged in regards to all items outlined within the previous submission. This includes the Site Plan which has been submitted to the Municipality. The Site Plan will be implemented through a Site Plan Agreement with the Municipality of Grey Highlands.

### 4.0 Previous Reports Submitted That Are Relevant To This File

- a) Planning Justification Report prepared by D.C. Slade Consultants Inc. – June 2006
- b) Addendum Planning Report prepared by D.C. Slade Consultants Inc. – March 2008
- c) Spring Source Report prepared by Gartner Lee – January 2007
- d) Response to Grey Sauble Conservation Authority prepared by Gartner Lee – February 13, 2008
- e) Removal/Retention of Building #2 prepared by Gartner Lee – July 24, 2008
- f) Transportation Review prepared by Cansult Tatham – June 2006
- g) Structural Report prepared by C.C. Tatham & Associates – May 30, 2007

Oro Ridge Corp.  
Addendum Planning Report  
Prepared by: D.C. Slade Consultants Inc.  
September 25<sup>th</sup>, 2012

- h) Site Line Assessment prepared by C.C. Tatham & Associates – July 8, 2008
- i) Traffic Study Response prepared by C.C. Tatham & Associates – September 2008

## 5.0 Submission Requirements

On June 4<sup>th</sup>, 2012, we received direction from the Municipality of Grey Highlands in regards to the submission requirements to reactivate this file. The following is a list of the requirements outlined:

- a) Letter of Authorization and proof of ownership (attached as an appendix to this report)
- b) Contingency fees and any outstanding fees to be paid (we have confirmed with the Municipality that there are no required fees and all outstanding fees have been paid up to date)
- c) Revised Traffic Report letter outlining new traffic numbers and proposed haul route. (Along with this submission a detailed transportation review provided by C.C. Tatham & Associates Limited has been provided. C.C. Tatham & Associates Limited have prepared all of the past transportation assessments in regards to proposals by Paradise Springs Inc.)
- d) Addendum letters for any report previously submitted that you are relying upon confirming information is valid (including hydrogeological report) (A Water Taking Assessment in regards to the hydrogeological impact of the subject proposal prepared by Azimuth Limited has been provided with this submission.)
- e) Sign off of Ministry of Environment on hydrogeological work completed or revised based upon new proposal. Since the application before the Municipality of Grey Highlands, has now been modified to below 50,000 liters per day, there is no sign off necessary nor is there any sign off possible from the Ministry of Environment in regards to this submission.
- f) Submission of Consent application. As outlined previously, the original Consent application has lapsed and attached with this submission is a new Consent application to merge the two existing lots presently owned by Oro Ridge Corp. This application is identical to the previous application submitted by Paradise Springs Inc.

## 6.0 Process to Complete Applications

In order to reactivate the file, we understand the Municipality of Grey Highlands and the County of Grey will require a second public meeting in regards to the Official Plan Amendment applications and Zoning By-law Amendment

Oro Ridge Corp.

Addendum Planning Report

Prepared by: D.C. Slade Consultants Inc.

September 25<sup>th</sup>, 2012

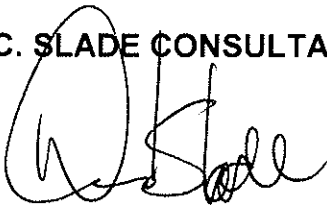
application. We support this requirement as it has been over five years since the previous public meeting and it would be beneficial to the public and government agencies to review the status of this file over the past four years. Further, it is necessary to inform the public and government agencies of the minor revisions being proposed.

Following the public meeting, we would request that the Municipality of Grey Highlands and the County of Grey proceed with their Planning Review in regards to the appropriateness of proceeding with the Official Plan Amendments and the Zoning By-law Amendment applications.

In order to determine the financial viability of this project, it is important to understand the potential obligations that the proponent may have in regards to the haul route associated with this site. We would request that we proceed and negotiate an appropriate Development Agreement in regards to the haul route for this particular site as well as other items that may be required by the Municipality. Based on an acceptable Development Agreement to both parties, the next step would be the approval of the County of Grey Official Plan Amendment, Municipality of Grey Highlands' Official Plan Amendment and the passage of the appropriate Zoning By-law Amendment. The Zoning By-law Amendment would be subject to an appropriate Holding H provision and a condition of the removal of the Holding H provision would be the execution of the Development Agreement and the execution of a Site Plan Agreement. The Site Plan Agreement would require the provision of a detailed Site Plan that the Municipality of Grey Highlands has requested within their previous Planning Reviews. (See appendices)

Respectfully Submitted,

**D.C. SLADE CONSULTANTS INC.**

A handwritten signature in black ink, appearing to read 'D. Slade', is written over the company name.

Per: David C. Slade, BAA, MCIP, RPP

## **APPENDIX 1**



206 Toronto Street South, Unit 1, P.O. Box 409, Markdale, ON N0C 1H0

Telephone: 519-986-2811 ~ Fax: 519-986-3643

Toll Free: 1-888-342-4059

Email: [info@greyhighlands.ca](mailto:info@greyhighlands.ca)

[www.greyhighlands.ca](http://www.greyhighlands.ca)

June 4, 2012

RECEIVED  
JUN - 7 2012

Mr. David Slade  
D.C. Slade Consultants Inc.  
243 Hurontario Street  
Collingwood ON L9Y 2M1

Dear David:

Re: Oro Ridge Corporation  
Part Lot 9, Concession 14  
Municipality of Grey Highlands  
Formerly Paradise Springs  
Proposal for Water Loading Facility

Thank you for your letter of May 10, 2012. We have now had a chance to review your letter and revised proposal. We have also had a chance to speak with the County of Grey, with respect to processing a revised proposal.

From our review of your letter, the following are the salient points:

1. That a new Permit to Take Water for 112,320 litres should be relatively straightforward.
2. Importance of establishing a haul route and understanding upgrading and maintenance along this route.
3. Your client's request to proceed with the existing application, but with a reduced 49,000 litres per day. This in turn would not require a PTTW and would reduce truck traffic.
4. The request to utilize the existing (and filed) Hydrogeological Report for the new (reduced) proposal of 49,000 litres per day.

Based on the above we would require an addendum traffic report identifying the revised traffic counts and required road upgrades. In addition, with respect to the Hydrogeological Report we would require an addendum letter of confirmation (from the engineer) that the information contained within is still up to date and accurate.




As such, in order for the Municipality and County to proceed in processing the development applications we would require the following,

1. Letter of Authorization and proof of ownership.
2. Contingency fee requirements and any outstanding fees to be paid. There is no County fee requirement.
3. Revised Traffic Report/Letter outlining new traffic numbers and proposed haul route.
4. Addendum letters for any report previously submitted that you are relying on; confirming information is still valid (including Hydrogeological report).
5. Signoff from MOE on the hydrogeological work completed – or revised based on new proposal.
6. Submission of consent application.

Following the Municipality and County receiving the above we would then be in a position to circulate and setup a public meeting date.

We trust the above is satisfactory. If you have any questions, please do not hesitate to contact this office.

Yours truly,



Kristine Loft, MCIP RPP  
Consulting Planner

- c. Sarah Morrison, Planner, County of Grey  
Dan Best, CAO, Municipality of Grey Highlands

## **APPENDIX 2**

**Municipality of Grey Highlands  
Paradise Springs Meeting  
"Without Prejudice"**

**Thursday, November 6, 2008 – 10:30 a.m.  
Council Chambers**

In Attendance for Municipality:

Mayor Brian Mullin  
Deputy Mayor Dave Fawcett  
Kelley Coulter - CAO  
Lorelie Spencer - Municipal Planner  
Don McNalty – R.J. Burnside & Associates (left meeting at 11:05 a.m.)  
Randy Scherzer, County of Grey  
Ed Veldboom – Municipal Lawyer (via teleconference)

In Attendance for Paradise Springs:

David Slade – D.C. Slade Consultants Inc.  
Tom Richardson – Land Use Lawyer  
Michael Cullip – C.C. Tatham & Associates  
Ian Townsend - Shareholder  
David Fowler - Shareholder  
Jim Molloy - Applicant

Regarding: Part Lot 9, Concession 14 (The former Township of Osprey)  
Official Plan Amendment Application OPA.PS.2006  
Zoning By-law Amendment Application Z21.2006

The CAO opened the meeting, stating that the meeting had been called to discuss the Paradise Springs Official Plan Amendment Applications and Zoning By-law Amendment Application. The CAO noted that this meeting is being held "Without Prejudice".

David Slade stated Paradise Springs is looking for definitive answers at this meeting. He noted that the Applicant recognizes that the County will need to proceed with the Official Plan application prior to the Municipality of Grey Highlands approving the Official Plan application. David Slade acknowledged that although a public meeting was held in May 2007, the Applicant did not respond to concerns of that meeting until an Addendum Report was completed and forwarded to the County and the Municipality in March of 2008. He stated the Applicant wished to address the concerns addressed in the Planning Report from the September 15, 2008 meeting.

1. Road Access Issue and Road Agreement

Michael Cullip had previously prepared a written response on the road access issue, which was subsequently forwarded by the Municipality to R.J. Burnside. Although Paradise Springs have requested their lawyer prepare a draft road agreement for the Municipality's review, the CAO stated that the road agreement will be defined by the Municipality and will be forwarded to the Applicant for review.

The Municipal Planner reported that it is planning staff's position that the road upgrades are necessary as there is a perceived impact with the additional truck traffic. Don McNalty reported that Michael Cullip's report has been reviewed and although there are areas that both engineers will be in agreement there are still deficiencies that need to be addressed by the Applicant. The Municipality has set precedent in requiring other applicants in the past to complete road upgrades. Therefore the Municipality has requested the same from Paradise Springs. Don McNalty advised that there is an increase risk with the road due to road width and sightlines issues. He noted that additional truck traffic will increase the risk. R.J. Burnside will complete a formal response to Michael Cullip's report within ten (10) days. R.J. Burnside will report to the Municipality that they are not satisfied with the use of lower speed limit signs to address the deficiencies and that the Municipality is still at risk if they accept the limitation of speed limit signs. Michael Cullip stated the Municipality will be at less risk if lower speed limits are used on Road 45. Don McNalty noted that Council will need to address the road issues. Mayor Mullin reported that when a report is presented to Council the R.J. Burnside Engineer's recommendations will be reviewed.

David Slade requested a copy of the Engineer's comments be forwarded to his office and noted that Paradise Springs understands that Council will make a decision based on the engineer's recommendation.

The CAO noted that staff will work toward getting this recommendation on the Council meeting scheduled for November 24, 2008.

## 2. Status of Buildings #1, #2 & #3

Building #1: It was agreed by all that any issues with Building #1 have now been resolved.

Building #2: David Slade stated that Building #2 is over an existing spring and is an important building to the Applicant as it houses and protects the water source. Although it is now located in a Hazard area according to Comprehensive Zoning By-law 2004-50, it was his opinion that at the time a building permit was issued the building was in compliance with the Osprey By-law. The Municipal Planner stated that the Deputy Chief Building Official is satisfied with the structure of Building #1 and Building #2 and both are in compliance with the Building Code. However, it was noted by the Municipal Planner that the permit issued for Building #2 was a permit for a 56 metre structure for a trout pool. The Municipal Planner is pursuing comments from the Conservation Authority to determine their position on the environmental analysis of the building provided by the Applicant. Once the comments have been received planning staff can finalize their position on Building #2. It was noted by the Municipal Planner and the County Municipal Planner that previous verbal comments provided by Andy Sorenson of the Grey Sauble Conservation Authority must be received in writing prior to moving forward. Randy Scherzer noted that the County is also awaiting comments from the Grey Sauble Conservation Authority that indicate whether or not an EIS is required.

Building #3: The Applicant agreed to locate Building #3 to a non-hazard area and will seek confirmation from the Municipality's Building Inspector on the new location. Jim Mollohan agreed that if a suitable location for Building #3 cannot be found the building will be demolished. The Municipal Planner will confirm with the Deputy Chief Building Official whether a building permit will be required to relocate the building.

3. Detailed Site Plan Agreement

David Slade stated that Paradise Springs are prepared to enter into a site plan agreement detailing such items as parking and landscaping. However, the Applicant's preference is to wait until the official plan and zoning applications are approved prior to the preparation of the detailed site plan.

The Municipal Planner stated there would be no objection from planning staff if the Applicant wishes to wait to complete a site plan until after the Official Plan and Zoning applications are dealt with. However, the Municipal Planner noted that their recommendation is that the Applicant completes the site plan at this time in order to deal with any issues that may arise once the site plan has been reviewed. David Slade noted that as site plan preparation is expensive the Applicant does not wish to prepare it at this time if it is not necessary. The Municipal Planner noted that if the Applicant did not wish to prepare a site plan at this time the Municipality would not be held responsible for any delay on the removal of Holding Provision if any issues were discovered after a review of the detailed site plan.

4. Process

Paradise Springs acknowledge that the County must approve the Official Plan prior to the Municipality approving the Official Plan. Paradise Springs will approach County for approval as the Applicant is prepared for the process to move forward.

The County forwarded comments provided from the Ministry of Municipal Affairs and Housing (MMAH) dated July 5, 2007 to Paradise Springs on November 3, 2008. The County acknowledged that letter had not been forwarded sooner due to a filing error. This has now been rectified and based on the Addendum Report forwarded to the MMAH, the County is now awaiting further comments from MMAH. The County has requested the comments to be received by the end of November 2008. Randy Scherzer stated that if the haul route issues can be resolved with the Municipality and if there are no further concerns with the Province, the County will consider proceeding to a decision on the County OPA. He noted that as with all applications the County must receive comments from all commenting agencies prior providing a recommendation for Committee to consider when making a decision on the file.

The County noted that at this point in time MDS does not appear to be an issue.

It was noted by the Applicant that the previous water taking permit issued by the MOE has been on a temporary two year cycle as an extension past two years will not occur until Paradise Springs is in operation.

The County agreed that the land use issue referred to in the MMAH letter has been addressed as the haul route has been changed.

The County noted that if comments can be received from the Conservation Authority in November the County may consider presenting the application in December to the County Planning Committee.

5. Fee Status of Paradise Springs

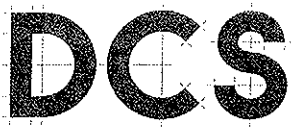
The CAO directed her statements to the Applicant and the Shareholders of Paradise Springs in regarding to outstanding fees owed to the Municipality. She reported that in March of 2008 a meeting was held with Jim Molohan, at which time an explanation of the status of fees was discussed. At that meeting, Jim Molohan presented the Municipality with cheques to cover the outstanding fees. The CAO reported that the bank did not honour the cheques and that the Municipality had to wait for a bank draft to clear the outstanding account. The CAO reported that her position is to protect the Municipality and work toward receiving all outstanding fees. To that end, the CAO stated to the Applicant and the Shareholders that no further work will be completed on the Paradise Springs applications until the outstanding balance of \$4,736.38 is paid (\$2,481.16 – planning fees; \$2,255.22 – taxes plus the taxes due November 25, 2008 of \$923.00); that the expenses for the Municipal Engineer and lawyer are paid from today's meeting; and that a \$5,000.00 contingency for future work is received. The CAO noted that the \$5,000.00 contingency deposit is a standard request. The fees are to be paid without delay. The CAO noted that despite the Municipality being owed fees in the past, the Municipality has continued to provide work on the applications as it was understood from the meeting in March 2008 that Paradise Springs were in a difficult position at that time. It was stated that the Municipality does not normally continue work on files when fees are owed. Ian Townsend stated that Paradise Springs should be permitted to pay invoices as received on a monthly basis and that a \$5,000.00 contingency was excessive. The CAO again noted that the \$5,000.00 request is a standard request for the Municipality. She also noted that each month since June 2008 invoices have been forwarded to Paradise Springs and there has been no payment or response from Paradise Springs. Ian Townsend noted that in future Paradise Springs will pay the invoices in a timely manner.

As a final statement, David Slade stated that they recognize that other than the outstanding road issue Paradise Springs believe they have now provided all documentation that the Municipality has requested.

Meeting adjourned at 11:43 a.m.

*Minutes Recorded by Deborah Crawford, Planning Coordinator, Municipality of Grey Highlands  
November 6, 2008*

## APPENDIX 3



D.C. Slade Consultants INC.  
Planning & Development

October 31<sup>st</sup>, 2008

The Municipality of Grey Highlands  
Planning Department  
206 Toronto Street South  
Unit 1  
P.O. Box 409  
Markdale, Ontario  
N0C 1H0

Attn: Ms. Lorelie Spencer,  
Planner

Dear Ms. Spencer:

**RE: Paradise Springs Inc.  
Zoning By-law Amendment Application  
Official Plan Amendment Application  
Site Plan Approval Application  
Planning Report PL.08.52**

We have now had an opportunity to review your Planning Report of September 15<sup>th</sup>, 2008 with the proponents of Paradise Springs Inc. and the other consultants involved with our applications. As you are aware, we have scheduled a meeting for Thursday, November 6<sup>th</sup>, 2008 with the Municipality to discuss this Planning Report. We wish to provide you with our position in regards to the recommendations of this report. Basically, there are only three issues that need to be resolved.

1. Status of buildings #1, #2 and #3:

Building #1: We understand you are satisfied that building #1 is structurally sound. Building #1 has been re-measured and on all further drawings will be shown as: 53' x 39.5' - 2,093.5 sq. ft. (194.5 sq. m.)

Building #2: A structural review (copy attached) has been prepared by C.C. Tatham & Associates Limited which supports the continued use of this building. It should be noted, that this building as per the Planning Report, did receive a building permit from the municipality. Further, these lands were not covered by the provisions of the Hazard H Zone or Section

The Municipality of Grey Highlands  
October 31<sup>st</sup>, 2008



6.14 b) of the former Zoning By-law No. 10-78. The subject lands, according to the by-law at the time, were zoned in the Rural A2 Zone and on this basis, building #2 is a legal non-conforming use in respect to the new Comprehensive Zoning By-law of the Municipality of Grey Highlands. Section 6.14 b) is clear as it states: *"that only streams or watercourses shown on Schedule A shall have restrictions in regards to this section."* There are no streams or watercourses identified on the subject property on Schedule A of By-law No. 10-78 (see attached Schedule).

Building #3: Building #3 (20.5' x 16' – 328 sq. ft.) is the same as Building #2 in respect to the zoning status. This building is used for the storage of maintenance equipment and would be useful to Paradise Springs to continue with this function. If necessary, this building can either be relocated or removed.

## 2. Engineering Road Assessment and Road Development Agreement:

Please find enclosed a response from Michael Cullip, Traffic Engineer, C.C. Tatham & Associates to the comments in the Planning Report and the detailed comments from R.J. Burnside & Associates outlined in their letter of September 9<sup>th</sup>, 2008.

We have retained the services of Tom Richardson, a land use lawyer, who is preparing a Development Agreement for the subject property for review by the municipality. This Development Agreement will include provisions in regards to posting of the 60 km/hr. signage along Sideroad #45 and the Townline, warning signs to all existing entranceways, signage to identify the entrance to Paradise Springs, establish provisions in regards to half load limits, establish identified haul routes, establish limited on truck traffic/day and establish appropriate clauses in regards to maintenance of the Townline and Sideroad #45. We are prepared to proceed and negotiate this Development Agreement, however it would not be appropriate to sign this agreement until we are assured of the passage of the Zoning By-law by the municipality.

## 3. Detailed Site Plan:

We are prepared to provide a detailed Site Plan to the municipality based upon the items expressed within the Planning Report however, it is not appropriate to prepare this work until we are assured that the municipality will support the Zoning By-law Amendment application. There is adequate information presented on the Concept/Site Plan presently available to the municipality to assess this development.

In conclusion, based upon our concerns expressed in items #2 and #3, we would request that the municipality proceed with the passage of the Zoning By-law

Amendment subject to the Holding H provisions of The Planning Act. A condition of the Holding H removal, will be the execution of an appropriate Development Agreement and the execution of an appropriate Site Plan and Site Plan Agreement for the subject property.

We trust this satisfactorily summarizes our position in regards to your Planning Report of September 15<sup>th</sup>, 2008 and are hopeful that all items can be resolved in our meeting of November 6<sup>th</sup>, 2008.

Yours truly,

**D.C. SLADE CONSULTANTS INC.**

A handwritten signature in black ink, appearing to read 'D. Slade', written over the company name.

Per: David Slade, M.C.I.P., R.P.P.

DCS/bls

Encls.

c.c. Ms. Kelly Coulter, CAO, Municipality of Grey Highlands  
Mr. Tom Richardson  
Mr. Jim Mollohan, Paradise Springs

(x) Keeping or raising of any bull, ox, cow, sheep, goat, pig or other cattle, or any poultry, or any reptile or any wild animal including any tamed or domesticated wild animal on any residential lot or in any building or structure in a Residential Zone except within the Rural Residential RuR Zone.

(xi) A commercial kennel.

6.13 Residential Use Restrictions

(a) No person shall erect or use any building as a dwelling or cottage upon any lot whereon there then exists, or is in the course of construction, or for which a building permit has been issued, for another residential dwelling.

(b) Notwithstanding anything contained in this By-law, no person shall use or occupy any building for residential purposes.

(i) Unless such building has been completed and finished in all respects in accordance with the plans and specifications filed upon application for the building permit, and

(ii) Unless such building is serviced with a municipal water supply or by a pressure or gravity fed water supply system, where hydro is available on the frontage or flankage and with a municipal sanitary sewer system or a septic tank disposal system.

(c) A cottage shall not be used for year-round or permanent human habitation.

6.14 Setback Requirements

(a) Building in Built-Up Areas

Notwithstanding any provisions of this By-law to the contrary, where a building is to be erected within a built-up area where there is an established building line, such building may be erected closer to the street line than required by this By-law provided such building is not erected closer to the street line than the established building line on the date of passing of this By-law.

(b) Lands in the Vicinity of Certain Streams

Except for uses, buildings and structures permitted in accordance with the provisions of clauses (a), (b), and (c) of Subsection 6.10, the provisions of Section 24 apply to those lands in the Municipality situated between any stream or watercourse shown on Schedule "A" and its high water mark or between such stream or watercourse and a line parallel to and at a distance of 30 metres measured at right angles from the centre line of such stream or watercourse whichever is the greater..

(c) Setback Table Schedule "C" and Minimum Yard Requirements

When the regulations of a Zone include a requirement that the minimum yard of a lot or parcel of land shall be a specific number of metres "plus any applicable distance as specified in Schedule "C"" of this By-law, such minimum yard shall be determined by measuring at right angles from the centre line of the public street abutting such yard in the direction of such lot or parcel of land a distance equal to the sum of

ED  
LATION

A2

A2

RUR

RUR-

RUR-1

Bank

## **APPENDIX 4**

**Municipality of Grey Highlands**  
**Planning Report PL.08.52**  
September 15<sup>th</sup>, 2008

<b>Application Details:</b>	Official Plan Amendment Application OPA.PS.2006 Zoning By-law Amendment Application Z21.2006 Consent Application B05.08 Site Plan Control Application SP03.08
<b>Location:</b>	Part Lot 9, Concession 14 (The former Township of Osprey)
<b>Registered Owner:</b>	Paradise Springs Inc. (Agent: DC Slade Consultants)
<b>Grey County Official Plan:</b>	Rural & Hazard
<b>Grey Highlands Official Plan:</b>	Rural and Hazard
<b>Zoning By-law No. 2004-50:</b>	Rural (RU) & Hazard (H)

**Purpose of Applications:**

- **Official Plan Amendment:** The purpose of the OPA is to permit a commercial water taking and storage operation. The effect of this amendment would be to add a new policy to Section 4.2.2 permitting the use of the subject property for a commercial water taking operation and accessory uses, including a pipeline, access road and a storage structure.
- **Zoning By-law Amendment:** The purpose of the rezoning is to amend By-law 2004-50 to permit the development of a commercial water taking operation. The effect of the rezoning is to change the zone symbol on Schedule 'A-6' from Rural (RU), and Hazard (H), to Rural (RU), Hazard (H), and Light Industrial (M1-X). Exception 'X' will limit the commercial water taking on the lands to a maximum of 112,320 litres per day, as well as recognizing the location of buildings on the property that are located in hazard lands.
- **Consent:** The purpose of the consent application was to merge two (2) existing parcels (approved without appeals September 9<sup>th</sup>, 2008)
- **Site Plan Control:** The purpose of the Site Plan Control Application is to identify the location of buildings, structures, and other site details on the property and to execute a Site Plan Agreement that ensures development on the site adheres to the site plans.

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**Recommendation:**

**RESOLVE,** That approval of the Official Plan Amendment, Zoning By-law Amendment, and Site Plan Control files not be granted until the following issues have been addressed to the satisfaction of the Municipality:

- The provision of a proposal, acceptable to the Municipality, to address geometric deficiencies on the Townline and Sideroad 45
  - An Agreement for Road Upgrades to the Townline and Sideroad 45 (road upgrades to be completed at the full cost of the proponent)
  - The provision of a Structural Analysis / Building Code Compliance Report for Building #2
  - Receipt of a revised Site Plan addressing the comments contained in this report.
-

**1.0 Overview:**

This report provides Planning Committee with an update on the planning applications filed by Paradise Springs Inc., in addition to seeking direction from Committee on the remaining issues and actions required for these applications.

The last report to Council was in May 2007 (PL.07.46) in which the Planning Department provided a thorough overview of the projects conformity with the Provincial Policy Statement, the Official Plan and summarized public comments as part of a statutory public meeting held on May 17, 2007. The report recommended that the applicant address a number of items prior to further consideration of the file. In response to the issues noted in the planning report, the applicant submitted an Addendum Report in March 2008.

**2.0 Issues Update:**

The issues from Planning Report PL.07.46 have been listed below along with a summary of the status of the issue:

**2.1 Require the completion of a favourable EIS in support of water taking**

The applicant submitted a letter prepared by Gartner Lee that advised that they feel an EIS is not warranted due to the limited amount of water taking that will occur. The letter recommended that any increase in water taking beyond 112,320 litres per day be accompanied by an EIS.

In response to Gartner Lee's letter, the Grey Sauble Conservation Authority stated that:

- (i) the water taking is anticipated to have minimal impacts on fish habitat and downstream ecological features,
- (ii) the Zoning By-law Amendment should incorporate the hazard mapping as noted in their 2007 correspondence,
- (iii) a permit is required from the GSCA prior to any undertakings on-site, and
- (iv) they have concerns with future increases in water taking and therefore the operation should be approved on a temporary basis.

**Current Review Status:** Consultation between this Department and Randy Scherzer (Grey County) and Andrew Sorensen (Grey Sauble Conservation Authority) has occurred to discuss the temporary use suggestion. It is the opinion of this Department and also of Mr. Randy Scherzer that the use of a temporary use by-law is not appropriate in this instance. It is agreed that the planning test is whether the use is appropriate, and if sufficient information has been provided to demonstrate no negative impact, then the use should be approved. Conversely, if insufficient information exists or is unsatisfactory, then the use should not be approved. Randy Scherzer confirmed that the County will defer to the GSCA on this issue.

This Department spoke with Andrew Sorensen on July 3<sup>rd</sup>, 2008 and he confirmed his acceptance of the OPA and By-law proceeding provided the water taking is limited to 112,320 litres per day.

**Recommendation:** The Planning Department is satisfied that there will be no environmental impacts result from the proposed water taking and storage operation subject to the following:

- i) The Zoning By-law limit the water extraction to 112,320 litres per day.
- ii) The Hazard (H) zone on the property be revised to reflect the May 14, 2007 sketch from the GSCA.
- iii) The Site Plan Agreement contain monitoring and reporting requirements.

## **2.2 The provision of Engineered Plans for the existing building on the property**

Three (3) buildings exist on the property and two (2) Building Permits are contained in the file as noted below.

**Building #1:** Building Permit 67-90 was issued in 1990 for this building which was associated with the water taking operation on the site. The water taking operation was by Temporary Use By-law 46-1990, and in accordance with a development agreement registered on title to the property, the building was to be removed once the Temporary Use By-law expired. Building #1 is located outside of the Hazard (H) zone on the property and based on the information contained on the Site Plan submitted by D.C. Slade, the building would appear to meet the front yard setback requirements of the Light Industrial (M1) Zone. The building would not conform to the building setbacks in the Rural (RU) zone.

The applicant submitted a letter report from C.C. Tatham which assessed Building #1 for Building Code compliance. The assessment concluded that the building appeared structurally sound but included a few recommended upgrades.

The exact size of Building #1 is unconfirmed. According to Building Permit 67-90, Building #1 is 197m<sup>2</sup>, whereas the Site Plan indicates the building is 204m<sup>2</sup>, and the Tatham report identifies the building at 189m<sup>2</sup>.

**Building #2:** Building Permit 84-38 was issued in 1984 for a 56m<sup>2</sup> building to 'enclose a trout pool'. We have insufficient information to verify whether this permit relates to the steel clad building constructed over the existing spring location #1, or whether this permit related to a building that may have existed over a pond located at spring location #2 (based on aerial photography, it would appear that a building may have existed in this location). We also are unable to verify the construction date of building.

Building #2 contravenes a number of documents including:

- Building Permit 84-38. If the 180m<sup>2</sup> Building #2 relates to Permit 84-38, The building is significantly larger than the 56m<sup>2</sup> allowed by the permit. In addition, a heated pump house is located at the north end of Building #2.
- By-law 10-1978 is the comprehensive zoning by-law for the former Township of Osprey that was in effect between 1978 through 2005. Section 6.14 b) prohibits the construction of a building within 30 metres of a stream.
- By-law 2004-50 zones the lands Hazard, and Building #2 is not a permitted use.
- Building #2 is located in an area designated Hazard by the Official Plan of the Township of Osprey, the Township of Grey Highlands Official Plan, and the County of Grey Official Plan. Each of these documents prohibits Building #2.



Building #2 covers the spring from which surface water is proposed to be piped to Building #1, with overflow water being piped to the existing open pond on the site. The structural integrity and building code compliance of Building #2 have not been assessed, and the absence of this assessment, Planning Staff cannot provide a favorable recommendation to retain Building #2. We understand from the applicants that they are not proposing any changes to Building #2.

**Building #3:** According to the Site Plan for the property, a third building, referred to as a maintenance shed, exists south of the pond and comprises 40 m<sup>2</sup>. There is no building permit on file for this building and the construction date is unknown. This building is located entirely within the Hazard zone in contravention of current By-law 2004-50 as well as the former By-law 10-1978.

**Current Review Status:** With respect to Building #1, confirmation has been obtained from the Grey Highlands Building Department that they are generally satisfied with the findings of the Tatham's report.

With respect to Building #2, the building is an illegal non-conforming structure located over a stream in a Hazard land area. In May 2007, the Planning Department recommended that this building be removed, and the Department stands by that recommendation. However, the only other consideration is that the recommendation was based on a lack of any assessment on the environmental implications of removing the structure versus maintaining the structure. To provide further information in this regard, Planning Staff require an engineer's report that demonstrates that the building is constructed in accordance with the Building Code.

With respect to Building #3, this building is located in hazard lands, and there is no apparent environmental implication of removing the building, nor is there any apparent need for the building. This building should be removed.

### **2.3 The provision of an Engineered Assessment of the Osprey-Blue Mountain Townline, in addition to the Townline and Grey Road 2**

There are two main issues with the haul route including the structural integrity of the road and its ability to withstand the increased usage, and secondly, safety concerns due to deficiencies relative to geometric standards.

A meeting was held at the Town of The Blue Mountains offices to discuss the haul route (Don McNulty attended on behalf of Grey Highlands). The conclusion of the meeting was as follows:

- Grey Highlands remains concerned about the geometric deficiencies along Sideroad 45, and to that end, the applicants committed that Tatham's would undertake fieldwork to assess the vertical sight line deficiencies.
- Grey Highlands prefers the longer haul route option of using County Road 2, to County Road 4, to County Road 124 to County Road 91 in Duntroon and that this will be included in the Development Agreement. The Municipality is concerned with the potential utilization of County Road 31 based on the existing use of the roadway, the existing deficiencies of the roadway and the potential cumulative impact of truck traffic from this proposed use and other existing uses.
- The proponent will cease operations during half load restrictions on the roads and acknowledge that the half load restrictions may be extended as a result of road or weather conditions which jeopardize the structural stability of the road base. Removal of load restrictions will only occur

subject to the proponent providing acceptable capital contributions to improve the structural integrity of the road.

- Any future increase in water taking would require approval of a rezoning application to exceed 112,320 litres per day, and further road improvements to the satisfaction of Grey Highlands.
- Securities will be required to ensure compliance with the terms of the Site Plan and Development Agreement.

The Municipality received an additional Sight Line Assessment for the proposed Haul Route on July 8<sup>th</sup>, 2008. The additional assessment was completed in response to the Municipality's concerns with respect to sight lines along sections of the Townline and Sideroad 45. The intent of the exercise was to determine if existing sight lines from existing driveways along the above noted roads were appropriate in the context of MTO standards.

The recommendation from Tatham's report indicates that a reduced speed limit of 60 km/h would be appropriate to address the sight line deficiencies noted within the report.

**Current Review Status:** Review of the additional Sight Line Assessment by the Municipal Engineer notes concern with the conclusions of the analysis, particularly from a risk analysis viewpoint. It is the opinion of Planning Staff and the Municipal Engineer that the provision of stopping sight distance alone is not sufficient. Speed reduction on the roadways in question is not an appropriate solution to the sight line deficiencies currently in place. The Municipal Engineer recommends a number of upgrades to be completed at the cost of the proponent to address the issues associated with the two (2) roadways and the addition of truck traffic.

Although the Municipality cannot currently control the use of the roadways by private individuals or businesses, we can control additional truck traffic on the roadways resulting from this development. Due to the additional truck traffic proposed, albeit a low volume, it is the recommendation of the Municipal Engineer that the sight lines at the existing private driveways along the Haul Route would require an upgrade to a commercial standard to afford a greater sight distance in accordance with Ministry of Transportation (MTO) standards. The existing entrance to the subject lands would also be required to be of a commercial standard in accordance with MTO standards. The Municipal Engineer further notes that the density of driveways and the narrow nature of the roadways in question is a concern with respect to the ability of these roads to accommodate truck traffic. It is noted that tree encroachments within the ROW further restrict the existing sight line deficiencies. It is the opinion of Planning Staff and the recommendation of the Municipal Engineer that the sight line deficiencies be fully addressed at the cost of the proponent, to the satisfaction of the Municipality. It is also noted that no assessment has been provided by the Proponent or his consultant with respect to the adequacy of the vertical alignment to provide for sight distances along the roadway itself at the driveway accesses.

In summary, prior to the approval of this Development, an agreement related to the road improvements to the Townline and Sideroad 45 must be completed. This Agreement will require the improvements to be completed at the sole expense of the proponent. In the absence of an agreement related to road improvements, it is the opinion of Planning Staff that this application cannot be approved.

**2.4 The provision of a Consent Application to merge the subject lands**

A consent application to merge the subject lands was approved by the Committee of Adjustment. The appeal period related to that file lapsed on September 9<sup>th</sup>, 2008 and no appeals were received. Provided all of the conditions related to the consent file are addressed, Planning Staff have no further concerns in this regard.

**2.5 The provision of an accurate Site Plan for the subject property showing the location of the pipeline, details of the pipeline, and the location of all existing and proposed buildings/structures on the property AND The provision of a Site Plan Application for the property, as the parcels are subject to Site Plan Control.**

A site plan application was submitted with a site plan illustrating the building locations, pipelines, and pond locations. The following additional information should be provided in support of the site plan application:

- Site plan should identify the location of the streams and ponds on the property that is consistent with the aerial photography of the site. Currently the Spring Location #2 does not appear to coincide with on-site features.
- Building size and dimensions should accurately reflect Reference Plan 16R-5800.
- Site Plan should be provided in A1 size with parking spaces, loading, and access clearly identified
- Septic location should be identified
- Buffering/tree planting is required along Townline Road. There is currently no buffering along the Townline. Section 9.1.3 c) of By-law 2004-50 requires a minimum 3 metre landscape strip along all parking, access areas and laneways. In this instance, 3 metres is insufficient to adequately buffer the rural uses to the north and to maintain the rural streetscape along the Townline. A six metre planting strip should be provided. Full details of the planting strip should also be provided including a cost estimate for security calculation purposes.
- Other previous construction/site alteration on the property should be accurately identified on the site plan and removal/mitigation measures should be proposed (i.e. south west of the maintenance building there appears to be the remains of an older structure). This should be accompanied by an environmental report to ensure the removal will have no negative impact.

**Municipality of Grey Highlands**  
**Planning Report PL.08.52**  
September 15<sup>th</sup>, 2008

**3.0 Conclusion:**

It is the opinion of this Department that road upgrades remain a fundamental issue to this application. In the absence of an agreement from the proponent to complete the necessary upgrades to the Townline and Sideroad 45, Planning Staff cannot recommend that this application be approved. Planning Staff are also concerned with the lack of analysis provided in response to the legality of the structures on the subject lands, specifically Buildings #2 and #3 as denoted within the report. It remains the opinion of this Department that Building #3 be removed as it is located completely within the Hazard zone and was placed there without Building Permit approval. Finally, Building #2 is proposed to remain by the Proponent, however no documentation relating to its compliance with the Ontario Building Code has been provided.

In light of the above noted issues, which again remain fundamental to the application, Planning Staff cannot recommend that the files be approved at this time.

  
Lorelie Spencer, Ba, U.R.P.I.  
Municipal Planner

2008 / 09 / 15  
Date

## **APPENDIX 5**

# Municipality of Grey Highlands Planning Report PL.08.52

July 8, 2008

<b>Application Details:</b>	Official Plan Amendment Application OPA/PS/2006 Zoning By-law Amendment Application Z21.2006 Consent Application B05/08 Site Plan Control Application SP03/08
<b>Location:</b>	Part Lot 9, Concession 14 (former Township of Osprey)
<b>Registered Owner:</b>	Paradise Springs Inc.
<b>Grey County Official Plan:</b>	Rural & Hazard
<b>Grey Highlands Official Plan:</b>	Rural and Hazard
<b>Zoning By-law No. 2004-50:</b>	Rural (RU) & Hazard (H)

## Purpose of Applications:

- **Official Plan Amendment:** The purpose of the OPA is to permit a commercial water taking and storage operation. The effect of this amendment would be to add a new policy to Section 4.2.2 permitting the use of the subject property for a commercial water taking operation and accessory uses, including a pipeline, access road and a storage structure.
- **Zoning By-law Amendment:** The purpose of the rezoning is to amend By-law 2004-50 to permit the development of a commercial water taking operation. The effect of the rezoning is to change the zone symbol on Schedule 'A-6' from Rural (RU), and Hazard (H), to Rural (RU), Hazard (H), and Light Industrial (M1-X). Exception 'X' will limit the commercial water taking on the lands to a maximum of 112,320 litres per day, as well as recognizing the location of buildings on the property that are located in hazard lands.
- **Consent:** The purpose of the consent application is to merge two existing parcels.
- **Site Plan Control:** The purpose of the Site Plan Control Application is to identify the location of buildings, structures, and other site details on the property and to execute a site plan agreement that ensures development on the site adheres to the site plans.

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## 1.0 Overview:

This report provides Planning Committee with an update on the planning applications filed by Paradise Springs Inc., in addition to seeking direction from Committee on the remaining issues and actions required for these applications.

The last report to Council was in May 2007 (PL.07.46) in which the Planning Department provided a thorough overview of the projects conformity with the Provincial Policy Statement, the Official Plan and summarized public comments as part of a statutory public meeting held on May 17, 2007. The report recommended that the applicant address a number of items prior to further consideration of the file. In response to the issues noted in the planning report, the applicant submitted an Addendum Report in March 2008.

## **2.0 Issues Update:**

The issues from Planning Report PL.07.46 have been listed below along with a summary of the status of the issue:

### **1. Require the completion of a favourable EIS in support of water taking**

The applicant submitted a letter prepared by Gartner Lee that advised that they feel an EIS is not warranted due to the limited amount of water taking that will occur. The letter recommended that any increase in water taking beyond 112,320 litres per day be accompanied by an EIS.

In response to Gartner Lee's letter, the Grey Sauble Conservation Authority stated that (i) the water taking is anticipated to have minimal impacts on fish habitat and downstream ecological features, (ii) the Zoning By-law Amendment should incorporate the hazard mapping as noted in their 2007 correspondence, (iii) a permit is required from the GSCA prior to any undertakings on-site, and (iv) they have concerns with future increases in water taking and therefore the operation should be approved on a temporary basis.

**Current Review Status:** I have spoken with both Randy Scherzer (Grey County) and Andrew Sorensen (Grey Sauble Conservation Authority) to discuss the temporary use suggestion. Randy Scherzer and I share a similar belief that the use of a temporary use by-law does not appear to be appropriate in this instance. We both feel that the planning test is whether the use is appropriate, and if sufficient information has been provided to demonstrate no negative impact, then the use should be approved. Conversely, if insufficient information exists or is unsatisfactory, then the use should not be approved. Randy Scherzer confirmed that the County will defer to the GSCA on this issue.

I spoke with Andrew Sorensen on July 3<sup>rd</sup> and he confirmed his acceptance of the OPA and By-law proceeding provided the water taking is limited to 112,320 litres per day.

**Recommendation:** The Planning Department is satisfied that there will be no environmental impacts resulting from the proposed water taking and storage operation subject to the following:

- a) The issues under item #2 of this report relating to the existing buildings have been addressed.
- b) The Zoning By-law limit the water extraction to 112,320 litres per day.
- c) The Hazard (H) zone on the property be revised to reflect the May 14, 2007 sketch from the GSCA.
- d) The Development Agreement contains monitoring and reporting requirements.

### **2. The provision of Engineered Plans for the existing building on the property**

Three buildings exist on the property and two Building Permits are contained in the file as noted below.

**Building #1:** Building Permit 67-90 was issued in 1990 for this building which was associated with the water taking operation on the site. The water taking operation was approved by Temporary Use By-law 46-1990, and in accordance with a development agreement registered on title to the property, the building was to be removed once the Temporary Use By-law expired. Building #1 is located outside of the Hazard (H) zone on the property and based on the information contained on the Site Plan submitted by D.C. Slade, the building would appear to meet the front yard setback requirements of the Light Industrial (M1) Zone. The building would not conform to the building setbacks in the Rural (RU) zone.

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July 8, 2008

The applicant submitted a letter report from C.C. Tatham which assessed Building #1 for Building Code compliance. The assessment concluded that the building appeared structurally sound but included a few recommended upgrades.

The exact size of Building #1 is unconfirmed. According to Building Permit 67-90, Building #1 is 197m<sup>2</sup>, whereas the Site Plan and Reference Plan 16R-5800 indicates the building is 204m<sup>2</sup>, and the Tatham report identifies the building at 189m<sup>2</sup>.

**Building #2:** Building Permit 84-38 was issued in 1984 for a 56m<sup>2</sup> building to 'enclose a trout pool'. We have insufficient information to verify whether this permit relates to the steel clad building constructed over the existing spring location #1, or whether this permit related to a building that may have existed over a pond located at spring location #2 (based on aerial photography, it would appear that a building may have existed in this location). We also are unable to verify the construction date of building. The building erected over spring location #1 is approximately 230 m<sup>2</sup>.

Building #2 contravenes a number of documents including:

- Building Permit 84-38. If the 230m<sup>2</sup> Building #2 relates to Permit 84-38, The building is significantly larger than the 56m<sup>2</sup> allowed by the permit. In addition, a heated pump house is located at the north end of Building #2.
- By-law 10-1978 is the comprehensive zoning by-law for the former Township of Osprey that was in effect between 1978 through 2005. Section 6.14 b) prohibits the construction of a building within 30 metres of a stream.
- By-law 2004-50 zones the lands Hazard, and Building #2 is not a permitted use.
- Building #2 is located in an area designated Hazard by the Official Plan of the Township of Osprey, the Township of Grey Highlands Official Plan, and the County of Grey Official Plan. Each of these documents prohibits Building #2.

Building #2 covers the spring from which surface water is proposed to be piped to Building #1, with overflow water being piped to the existing open pond on the site. The structural integrity of Building #2 has not been assessed, nor have the environmental implications of retaining, removing or renovating/upgrading the building. We understand from the applicants that they are not proposing any changes to Building #2.

**Building #3:** According to the Site Plan for the property, a third building, referred to as maintenance shed, exists south of the pond and comprises 40 m<sup>2</sup>. There is no building permit on file for this building and the construction date is unknown. This building is located entirely within the Hazard zone in contravention of current By-law 2004-50 as well as the former By-law 10-1978.

**Current Review Status:** With respect to Building #1, I have spoken with the Grey Highlands Building Department and they are generally satisfied with the findings of the Tatham's report.

With respect to Building #2, the building is an illegal non-conforming structure located over a stream in a Hazard land area. In May 2007, the Planning Department recommended that this building be removed, and the Department stands by that recommendation. However, the only other consideration is that this recommendation is based on a lack of any assessment on the environmental implications of removing the structure versus maintaining the structure. This report should be provided, and if it concludes that the building should remain, then the report should be accompanied by an engineer's report that demonstrates that the building is constructed in accordance with the Building Code.



## Municipality of Grey Highlands Planning Report PL.08.52

July 8, 2008

With respect to Building #3, this building is located in hazard lands, and there is no apparent environmental implication of removing the building, nor is there any apparent need for the building. This building should be removed.

### 3. The provision of an Engineered Assessment of the Osprey-Blue Mountain Townline, in addition to the Townline and Grey Road 2

There are two main issues with the haul route including the structural integrity of the road and its ability to withstand the increased usage, and secondly, safety concerns due to deficiencies relative to geometric standards.

A meeting was held at the Town of The Blue Mountains offices to discuss the haul route (Don McNalty attended on behalf of Grey Highlands). The conclusion of the meeting was as follows:

- Grey Highlands remains concerned about the geometric deficiencies along Sideroad #45, and to that end, the applicants have committed that Tatham's will undertake fieldwork to assess the vertical site line deficiencies.
- Grey Highlands prefers the longer haul route option of using County Road 2, to County Road 4, to County Road 124 to County Road 91 in Duntroon and that this will be included in the Development Agreement.
- The proponent will cease operations during half load restrictions on the roads and acknowledge that the half load restrictions may be extended as a result of road or weather conditions which jeopardize the structural stability of the road base. Removal of load restrictions will only occur subject to the proponent providing acceptable capital contributions to improve the structural integrity of the road.
- Any future increase in water taking would require approval of a rezoning application to exceed 112,320 litres per day, and road improvements to the satisfaction of Grey Highlands.
- Securities will be required to ensure compliance with the terms of the Site Plan and Development Agreement.

**Current Review Status:** Don McNalty continues to have safety concerns, and to date, the Municipality has not received the additional assessment work from Tatham's regarding Sideroad #45.

I have spoken with Don McNalty at length on this issue and he is of the opinion that should the additional information from Tatham's confirm the road deficiencies, then the road should be upgraded to an acceptable state to protect public safety. The applicant has noted that the number of driveways and amount of vehicle traffic on the Sideroad is limited; however, Don McNalty and the Planning Department share the opinion that it would be inappropriate to make the situation worse as a result of this application. The Planning Department recommends that a report acceptable to Grey Highlands must be received prior to further work occurring on this issue.

**Municipality of Grey Highlands**  
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**4. The provision of a Consent Application to merge the subject lands**

A consent application was submitted to merge the parcels, and a Committee of Adjustment date to consider the application will be scheduled.

**5. The provision of an accurate Site Plan for the subject property showing the location of the pipeline, details of the pipeline, and the location of all existing and proposed buildings/structures on the property AND the provision of a Site Plan Application for the property, as the parcels are subject to Site Plan Control.**

A site plan application was submitted with a site plan illustrating the building locations, pipelines, and pond locations. The following additional information should be provided in support of the site plan application:

- Site plan should identify the location of the streams and ponds on the property that is consistent with the aerial photography of the site. Currently the Spring Location #2 does not appear to coincide with on-site features.
- The site plan should contain grading/drainage information and how stormwater is being controlled in accordance with MOE requirements (i.e. parking lot etc.).
- The surface treatment of the parking lot/entrance area should be identified on the site plan as per Section 5.14 I) of By-law 2004-50.
- Building size and dimensions should accurately reflect Reference Plan 16R-5800.
- Site Plan should be provided in A1 size with parking spaces, loading, and access clearly identified. Compliance with 2004-50 is required.
- Septic location should be identified
- Buffering/tree planting is required along Townline Road. There is currently no buffering along the Townline. Section 9.1.3 c) of By-law 2004-50 requires a minimum 3 metre landscape strip along all parking, access areas and laneways. In this instance, 3 metres is insufficient to adequately buffer the rural uses to the north and to maintain the rural streetscape along the Townline. A six metre planting strip should be provided. Full details of the planting strip should also be provided including a cost estimate for security calculation purposes.
- Other previous construction/site alteration on the property should be accurately identified on the site plan and removal/mitigation measures should be proposed (i.e. south west of the maintenance building there appears to be the remains of an older structure). This should be accompanied by an environmental report to ensure the removal will have no negative impact.

**3.0 Conclusion:**

The Planning Department recommends that the Official Plan Amendment, Zoning By-law Amendment and Site Plan Control application be approved once the following items have been addressed:

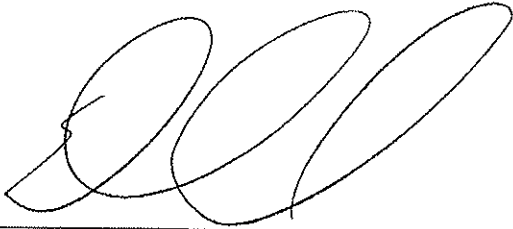
- Haul Route analysis has been received by CC Tathams.
- Environmental analysis of building #2 be provided and removal of mitigation measures undertaken. If the analysis is acceptable to Grey Highlands, and it recommends maintaining the building, then an engineering assessment of Building #2 should be provided.
- Receipt of a revised site plan

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- Merger of the two properties
- A Development Agreement should be prepared which includes site plan compliance in addition to haul route requirements (i.e. limitations/upgrades) and securities.
- Implement Tatham's building #1 improvements as noted in Item 2 of this report.
- Removal of building #3.
- Secure final site plan sign-offs from (i) Planning, (ii) Building, (iii) GSCA, (iv) Public Works & Consulting Engineer.

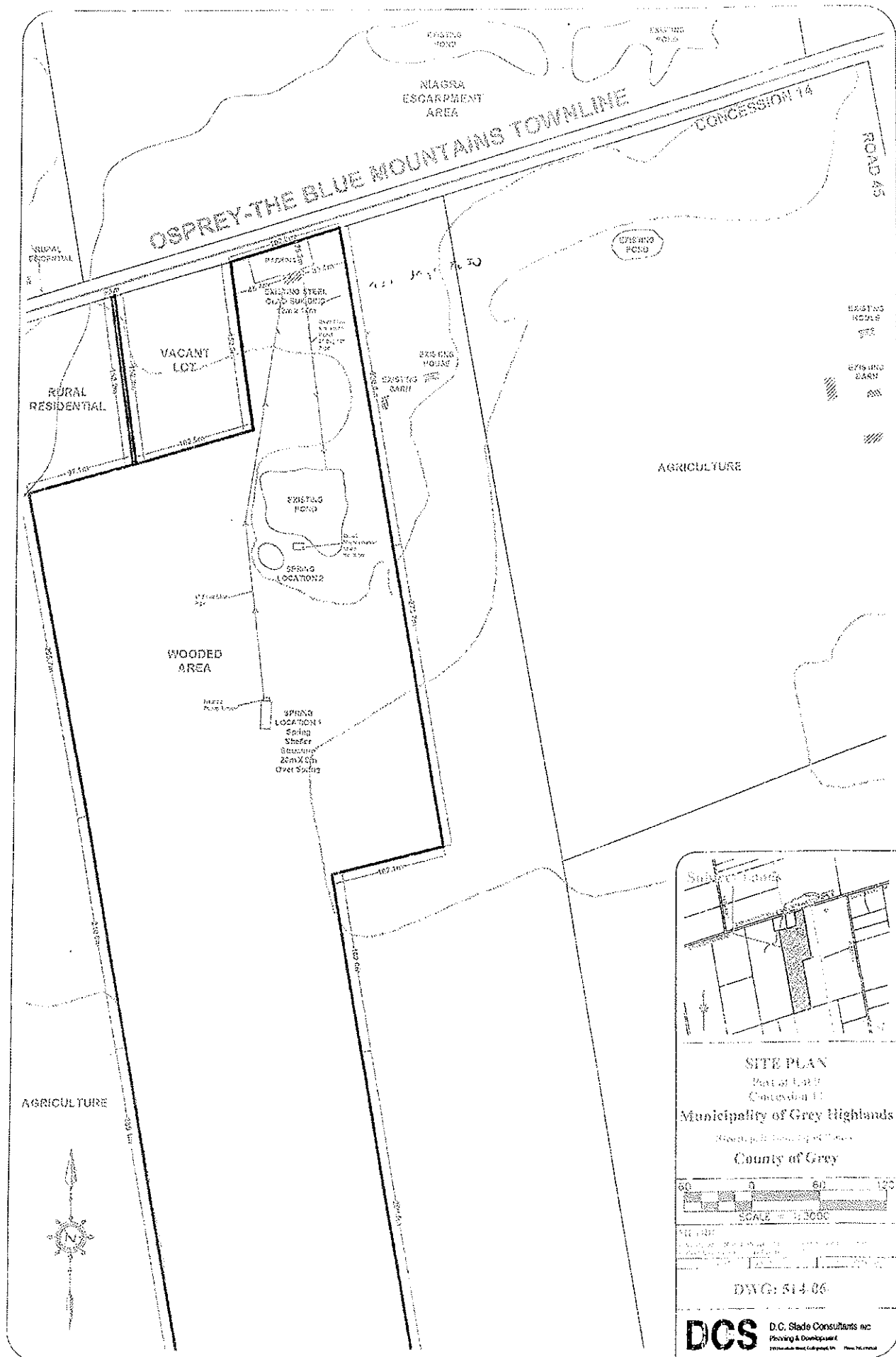
In an effort to continue processing this application, the Planning Department will also work with the Secretary-Treasurer of the Committee of Adjustment to have the consent application heard. In addition, a draft of the Development Agreement will be prepared and circulated for comments.



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Ray Duhamel, MCP, MCIP, RPP  
Partner  
Manager of Planning Services  
**The Jones Consulting Group Ltd.**

Attach: March 7, 2008 Site Plan



**ORO RIDGE CORP.  
(PARADISE SPRINGS)**

**COUNCIL PRESENTATION  
Monday, January 14<sup>th</sup>, 2013**

**SUBJECT PROPERTY:**

Part of Lot 9, Concession 14,  
Formerly Osprey Township,  
63 acres  
Townline between Town of the Blue Mountains  
And Municipality of Grey Highlands

**PROPOSAL:**

Water Loading Facility  
Requires Official Plan Amendment and Zoning By-law Amendment

**RECENT HISTORY:**

- Met with staff – Dan Best, CAO and Kristine Loft, Planner of Municipality of Grey Highlands and Sara Morrison, Planner, County of Grey in spring 2012
- Meeting was to introduce new owner, Mr. Anthony Agueci
- All past taxes and other fees have been paid and brought up to date
- We discussed reactivating the previous file by Paradise Springs
- We received direction from the Municipality and County in June 2012 that we could reactivate existing files subject to providing up to date reports and addendums to reports

**HISTORY OF PAST FILE – PARADISE SPRINGS:**

- This file was for a water loading facility for the transport of water from a Permit to Take Water for 112,320 litres per day, 3 round truck trips per day
- Complete submission was made

- Public meetings were held and the last Municipal Planning Report dated September 15, 2008 had supported the application subject to a list of conditions that the applicant had to meet, eg., Site Plan schedules, structural review of buildings, etc.
- The only outstanding issue was the negotiation of an acceptable Development Agreement between the Municipality and the applicant
- This was mainly dealing with the haul routes and the required upgrades to the route
- After November 2008 the applicants were unable to continue due to financial issues
- The haul route issue was never resolved
- The property eventually went into receivership
- The Municipality did not proceed with the Official Plan Amendment and Zoning By-law Amendment
- The County did not proceed with their Official Plan Amendment as they were requesting that the Municipality deal with the application first

**PROPOSAL NOW BEFORE THE MUNICIPALITY:**

- Same proposal as Paradise Springs Inc. except the quantity of water to be removed from the site is reduced from 112,320 litres per day to 49,000 litres per day
- This proposal will use the existing structures on the site. No new buildings are proposed
- There is a spring shelter where the water is collected and pumped to the storage building located adjacent to the Townline
- The existing storage building is approximately 12 x 17 meters (200 sq. m or 2,200 sq. ft.)
- Water is stored in this building and will be pumped to tanker trucks
- Loading area and gravel parking lot is already in place

- Based on the proposal of a removal of water at a maximum of 49,000 litres per day there will be an average of 1.225 trucks per day (1 return trip) based on a truck 40,000 litres size (large truck)
- Haul route
- Product will generally be sold to the Greater Toronto Region
- East on Osprey/Town of the Blue Mountains Townline
- South along Township Road #45
- East along Concession 12B to Grey County Road #2
- We have prepared a Traffic Review Update from C.C. Tatham & Associates which supplements previous reports by C.C. Tatham & Associates which conclude this route can be used, however recommend that the speed limit on the Townline and Sideroad #45 be reduced to 60 km/hr., visibility along the road be improved by the removal or trimming of overgrown trees and signs be posted at the site entrance to alert motorists
- Employees consist of truck driver(s) and one onsite employee to monitor springs and loading of water
- Tanker Trucks (large) – 40,000 litres up to 44,000 litres to be used

#### **WHY DID WE APPLY FOR 49,000 LITRES PER DAY?**

- Any water taking below 49,000 litres per day does not require a Permit To Take Water from the Ministry of the Environment
- We have prepared a Water Taking Assessment prepared by Azimuth Environmental that supplements the previous study done by Gartner Lee
- The study concluded that the extraction will be less than 5% of the instantaneous flow of springs on site
- This site did have a Permit To Take Water for 112,300 litres per day from the Ministry of the Environment however this permit has lapsed (valid for two year intervals only)
- We wish to establish the business and gain monitoring information on water taking should we wish to apply in the future for a Permit To Take Water from the Ministry of the Environment

- We want to begin small and prove the business to Council and the Community
- An important aspect that requires resolution is a satisfactory Development Agreement between the applicant and the Municipality especially in regards to the haul route for the transportation of the water

**REQUEST:**

- Proceed with the scheduling of a joint Public Meeting for the Local Official Plan, County Official Plan and Zoning By-law Amendment
- Proceed after the Public Meeting for the above applications with the Severance application to merge the two lots



LEGEND

Approx. Property Boundary

Springfield Locations

75m 0 150m

HORIZONTAL SCALE 1:5,000

AZIMUTH ENVIRONMENTAL CONSULTING INC.

Site Layout

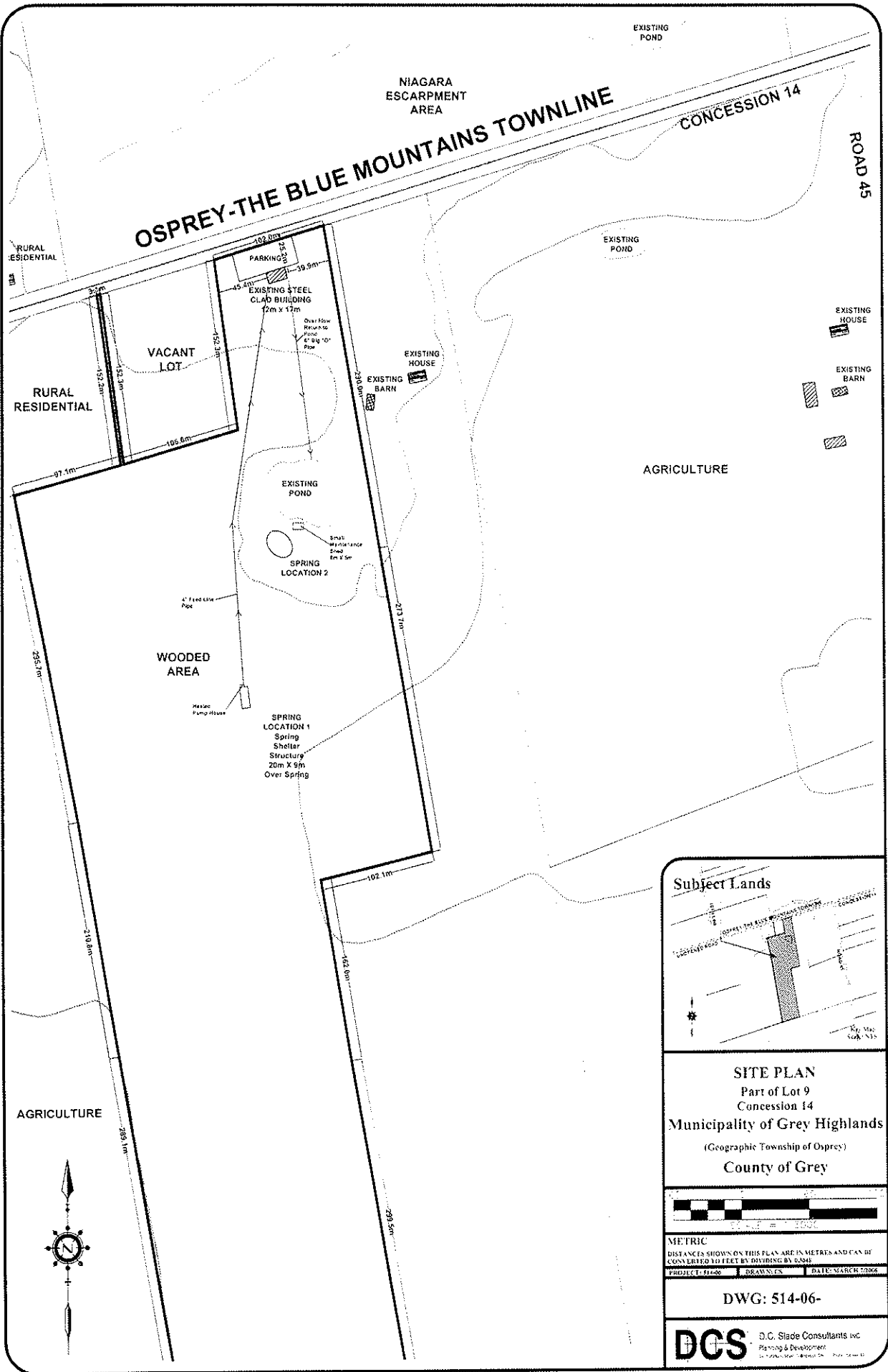
Oro Ridge Spring Assessment  
Blue Mountains, ON

DATE ISSUED	September 2012	Page No.	2
CREATED BY	JLM		
PROJECT NO.	12-158		
REFERENCE	First Base Solutions		



Drawn by: M12 Project 12-158 Paradise Springs PTTW Drafting 12-158.dwg  
 File: M12 Project 12-158 Paradise Springs PTTW Drafting 12-158.dwg  
 Printed by: ACCURANT on October 15, 2012 at 5:29pm  
 Plot Size: 11x17 inches (297x438mm)





**Subject Lands**

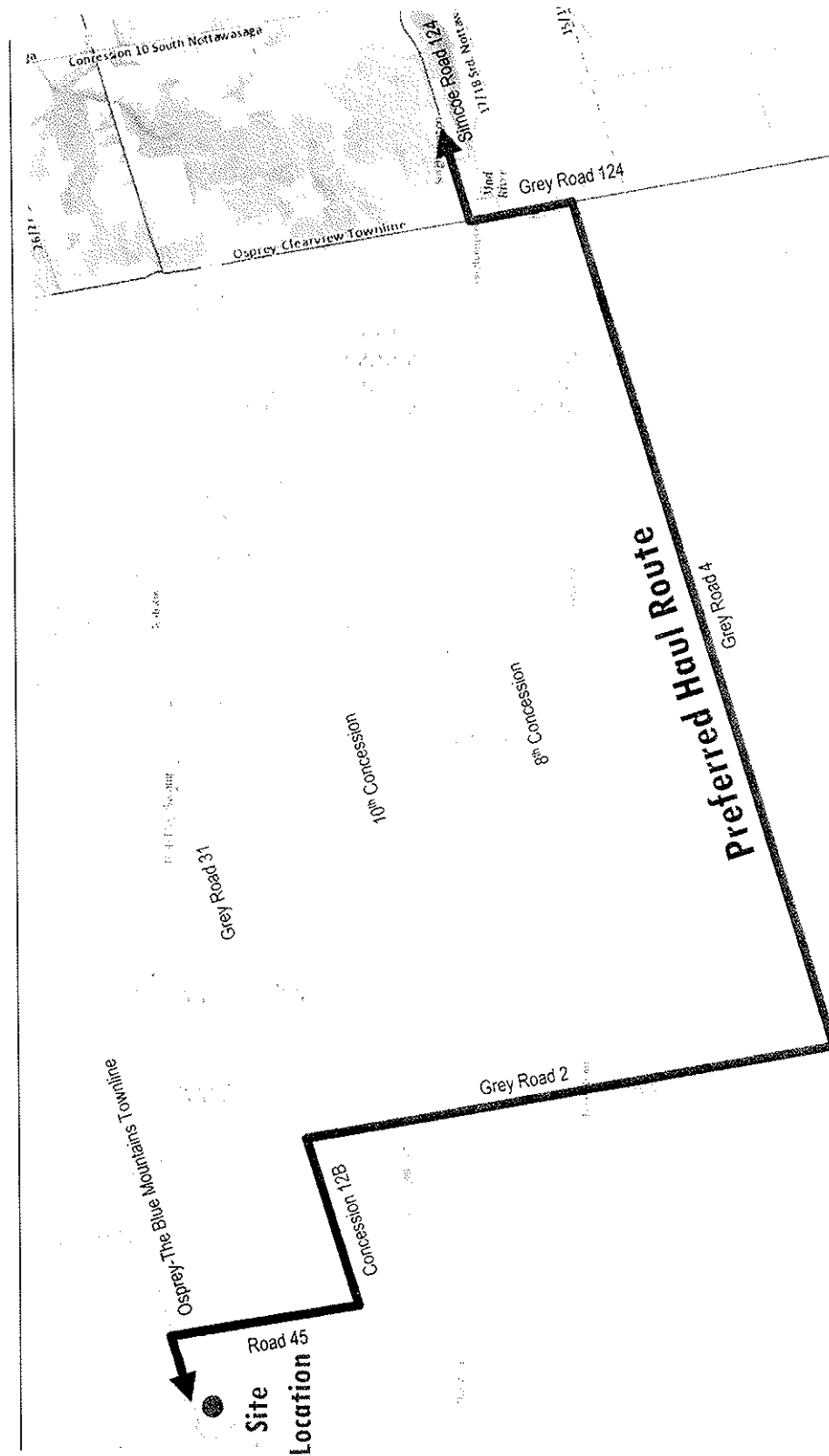
**SITE PLAN**  
Part of Lot 9  
Concession 14  
Municipality of Grey Highlands  
(Geographic Township of Osprey)  
County of Grey

**METRIC**  
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

PROJECT: 514-06 DRAWN: DATE: MARCH 2006

**DWG: 514-06-**

**DCS** D.C. Slade Consultants Inc.  
Planning & Development  
100 Main Street, Suite 101, Grey Highlands, ON N0A 1S0



source: Simcoe Maps



C.C. Tatham & Associates Ltd.  
Engineering

## Oro Ridge Springs Site Location & Preferred Haul Route

Figure

1











