

PLANNING JUSTIFICATION REPORT

**APPLICATIONS TO AMEND THE OFFICIAL PLAN
AND ZONING BY-LAW AND
DRAFT PLAN OF SUBDIVISION**

**MACPHERSON BUILDERS (BLUE MOUNTAINS) LIMITED
HOME FARM DEVELOPMENT
PART OF LOT 20, CONCESSION 2
TOWN OF THE BLUE MOUNTAINS, FORMERLY COLLINGWOOD TOWNSHIP
GREY COUNTY**



JUNE 2015

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Attachment No. 3 – Draft Zoning By-law Amendment

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PURPOSE

Wellings Planning Consultants Inc. has been retained by MacPherson Builders (Blue Mountains) Limited (“Owner”) to provide planning advice and prepare planning applications to facilitate development of their lands located in Part of Lot 20, Concession 2, in the Town of The Blue Mountains (“Town”). The Owner’s lands are located east of Grey Road 19 and north of Tyrolean Lane (“subject lands”) and comprise approximately 60.3 hectares (149 acres). The subject lands include approximately 4 hectares (9.9 acres) of land owned by the Town which will be conveyed to the Owner for development purposes.

The planning applications submitted with this report include an application to amend the Official Plan, an application to amend the Zoning By-law and an application for Draft Plan of Subdivision to facilitate the development of a 277 unit residential/recreational cluster development on that portion of the subject lands suitable for development (non-hazard lands). A subsequent condominium application(s) will be submitted in the future.

Over the past three (3) years, the Owner has retained a number of consultants to prepare the technical reports/studies required to support the proposed development. The technical reports includes, but are not limited to: Environmental Impact Study; Functional Servicing and Stormwater Management Report; Built Heritage & Cultural Heritage reports; Traffic Report; Geotechnical Investigation and a Visual Impact Assessment.

PROPERTY DESCRIPTION

The subject lands, approximately 60.3 hectares (149 acres) in area, are currently accessed via Helen Street but also have frontage on Grey Road 19. At the end of the opened portion of Helen Street, a gravel access road extends in an easterly direction for approximately 250 metres and then further extends north-east for approximately 250 metres and terminates in a central clearing area (see Figure 1 - Location of Subject Lands).



Figure 1 – Aerial View of Subject Lands

With the exception of the lands owned by the Town, the subject lands were first purchased by the Weider family in 1945 and the family referred to the property as the “Home Farm”. The dwelling associated with the farm (796479 Grey Road 19) was previously severed from the balance of the lands. The only building on the subject lands is located at the southwest corner. This building is a barn with cinderblock and cement additions, more recently adapted for use as a storage facility (“site building”).

The subject lands are divided into the upper and lower plateaus by the Nipissing Ridge. The upper plateau (west portion of the subject lands) is former agricultural fields and generally contains thickets, woodlands, an unnamed stream and its associated floodplain.

The lower plateau (east portion of the subject lands), where development is not proposed at this time, contains more mature forest and another unnamed stream.

The Nipissing Ridge diagonally transects the central-eastern portion of the subject lands in a northwest to southeast direction and the ridge is well treed and carved with steep ravines. Nipissing Ridge is an ice-age glacial shoreline of the former Lake Algonquin (glacial lake that existed at the time of the last ice age).

The larger of the two streams, which supports the majority of the flow through the subject lands, enters the site from the west via a culvert under Helen Street, and is conveyed via a man-made channel for a short distance and then conveyed through small, defined channels. During times of higher flow, the channels overflow onto the surrounding fields. The two unnamed streams that cross the property cascade over the ridge through separate ravines. The larger stream then runs along the toe of the Nipissing Ridge and off the subject lands to the north. This stream is proposed to be routed through a 60 metre wide channel (greenway).

Approximately 8 hectares (19.8 acres) of wetland communities are located in the western portion of the subject lands. Development is proposed on approximately 5.5 hectares (13.6 acres) of this wetland area through the proposed channelization of the stream. The balance of the proposed development area currently consists primarily of Deciduous Shrub Thicket (approximately 22 hectares) and Deciduous Woodlands (approximately 3 hectares). Approximately 14.5 hectares of shrub thicket and approximately 1.5 hectares of deciduous woodland will be removed to facilitate the proposed residential development. The eastern portion of the subject lands contains approximately 20 hectares of upland forest on the slopes of the Nipissing Ridge.

The subject lands contain the Petun Plater-Martin registered archaeological site (northeast portion of the subject lands) which is on a terrace of the Nipissing Ridge. This important archaeological site (Block 278 on the Draft Plan of Subdivision) is approximately 4.8 hectares in area, and will be dedicated to the Town as a heritage park. The site is surrounded by ravines except for a narrow isthmus attaching it to the upper plateau and is a part of a former village, identified as Ekarenniondi or “standing rock”. Seventeenth century French explorers referred to the Tionontate people they encountered as Petun or “tobacco people” as they grew large quantities of tobacco. The Tionontate were closely related to the Wendat (Huron) Confederacy. Their homeland was located along the southwest edge of Georgian Bay. Their numbers were reduced by disease and warfare and eventually they joined with the Huron to become the Huron-Petun Nation, who were later known as the Wyandot.

The Stage 1-2 Archaeological Assessment prepared for the subject lands excludes the Plater-Martin site given that a number of separate archaeological assessments have been prepared for the site in the past.

MEMORANDUM OF UNDERSTANDING – TOWN AND OWNER

In 2012, the Owner consulted with the Town regarding developing their lands at a density above that currently permitted in the Town of The Blue Mountains Official Plan (“OP”). The permitted residential density is currently very low at 2.5 units per hectare with a potential to increase the density to 5.0 units per hectare should the Town receive a public benefit as per the bonus density policies in the OP. The Town advised the Owner that they own lands adjacent to the Owner’s property which are designated *Institutional* and not required for municipal purposes. The Owner also discussed with the Town the fact that the Home Farm contains the significant Aboriginal archaeological/cultural heritage site (Plater-Martin site) which could be conveyed to the Town (Craigleith Heritage Park).

A Memorandum of Understanding (“MOU”) was entered into between the Town and the Owner dated November 4, 2014. The two parties agreed that within fifteen (15) days following the date upon which a plan of subdivision is registered, the Owner would convey eleven (11) blocks to the Town for various purposes, including Craigleith Heritage Park; parkland; a public road; a municipal sanitary pumping station; and open space (hazard lands/ravines associated with Nipissing Ridge) (Sections 4.2, 4.3 and 4.4 of the MOU). These eleven (11) blocks total approximately 18.1 hectares (44.7 acres) in area. In exchange, the Owner would receive the institutional lands and the unopened portion of the Helen Street right-of-way, representing approximately 4.4 hectares (10.8 acres) in area. The Owner and the Town agreed to include conditions of draft approval to incorporate the provisions of the MOU regarding the conveyances of land. It was also agreed that the Owner would enter into a Master Development Agreement with the Town which would include the following provision (as per Section 8.1 of the MOU):

“The conveyances described in Sections 4.2, 4.3 and 4.4 [of the MOU] shall constitute full satisfaction of the Owner’s obligations under Section 51.1 and/or Section 42 of the Act to convey land (or pay cash-in-lieu thereof) to the Town for park or other recreational purposes, as well as full satisfaction of the Height and Density Bonusing Policies of the Official Plan and other Town policies related to bonusing for the Owner’s Lands subject to the maximum densities provided in the Official Plan, as well as full satisfaction of any of the Owner’s obligations under the previous official plan, if applicable, including the Bonus Density Policies, the Bonus Zoning Policies and the General Exception Policies (including the payment for cash in lieu of shoreline);”

For the purposes of the MOU, the Official Plan means the Official Plan adopted by Town Council on September 3, 2014 but not yet approved.

The MOU contains clauses that acknowledge that none of the provisions of the MOU shall preclude the Owner from submitting applications to increase the maximum unit yield on the subject lands or fetter Town Council in exercising discretionary power, duties or authorities with respect to the development applications.

SURROUNDING LAND USES

The MacPherson Residential/Recreational community, known as “The Orchard” is located on the west side of Grey Road 19, at the base of Craighleith Ski Hill and consists of 130 residential units. To the south, there is existing residential development on Tyrolean Lane (Tyrolean Village Resort) and further to the south is the Blue Mountains Resort. To the northeast there is a planned residential development by Eden Oak, referred to as Blue Trails. The proposed Blue Trails development consists of 37 blocks (semi-detached, townhouse and villa blocks) and will consist of 194 residential units. Further to the north there is Lakeshore Road, Highway 26, residential uses and Georgian Bay.

PROPOSAL

The proposal consists of 277 freehold residential lots tied to a common element condominium(s). The development will consist of 85 single detached units, 60 semi-detached units and 132 townhouse units. The single detached lots have garages facing a private condominium road. The proposed townhouses and the majority of the semi-detached lots are lane related with outdoor amenity space at grade and on decks above the garages.

The condominium common elements consist of private roads, parking, open space, laneways and stormwater management blocks. The draft plan of subdivision includes a new municipal road (cul-de-sac); the Plater-Martin site (Block 278), approximately 4.7 hectares (11.6 acres) in area and two (2) public parkland blocks (Blocks 299 and 300) totaling approximately 5.8 hectares (14.3 acres) in area.

Ekarenniondi Street is a proposed 20 metre wide public road and provides access to the private condominium roads, the sanitary pumping station and the Plater-Martin site. Dwellings facing Ekarenniondi Street gain access from rear laneways (no garages facing the street). Ekarenniondi Street aligns with the main entrance to “The Orchard” to the west, Birches Boulevard. A central 27 metre private road with a 3 metre centre median

provides the road connection between the north and south portions of the proposed development (see Attachment No. 1 – Draft Plan of Subdivision).

The on-site watermain will be connected to the municipal watermain on Grey Road 19. The on-site sanitary sewers will drain to an internal pumping station and discharge via a forcemain to the municipal sanitary sewer on Grey Road 19. Two storm water detention ponds and one infiltration facility will provide quality and quantity controls and protect against downstream erosion of the creek channel and valley lands. The channel for the realigned watercourse will be designed to provide aquatic and terrestrial habitat.

PLANNING POLICY FRAMEWORK

The following is an assessment of all planning policy documents relevant to the proposed development.

Provincial Policy Statement 2014 (“PPS”)

Part IV of the PPS states: “The long-term prosperity and social well-being of Ontario depends upon planning for strong, sustainable and resilient communities for people of all ages, a clean and healthy environment, and a strong and competitive economy.” It is also stated that strong communities, a healthy environment and economic prosperity are inextricably linked.

The policies within Part V of the PPS addresses building strong healthy communities; the wise use and management of resources and protecting public health and safety.

Policy 1.1.1 of the PPS states that healthy, liveable and safe communities are sustained by a number of measures including “accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;” (Policy 1.1.1 b)). The proposed development does provide a range of residential units as well as recreational, park and open space uses to meet the long-term needs of the residents.

Policy 1.1.1 c) states that land use patterns and development which may cause environmental or public health and safety concerns should be avoided. Given the unique setting of the subject lands, a number of detailed technical reports have been prepared to address past activities on the subject lands and the natural heritage features. The proposed pattern of residential development has been carefully planned to avoid impacts on the environment and there are no public health and safety concerns. The application to increase the proposed residential density, as discussed in more detail below, fulfills the

provincial objectives to promote cost-effective development patterns and standards to minimize land consumption and servicing costs.

The PPS states that settlement areas vary significantly in terms of size, density, economic activity etc. and the vitality of settlement areas is critical to long-term economic prosperity. The Town is unique as it provides areas for residential development surrounded by natural features offering opportunities for recreation and the appreciation of unique natural features. Opportunities for hiking, skiing and pursuits related to archaeology, as well as other activities are provided on or in close proximity to the subject lands. The proposed residential development will contribute to the recreational and economic vitality of the Town. The dedication of the Plater-Martin archaeological site to the Town, as well as buffer parkland, fulfills the PPS policy to recognize protected areas and minimize negative impacts on these areas.

Part V, Section 2 of the PPS states that natural features and areas shall be protected for the long term, such as significant wetlands, woodlands, valleylands, wildlife habitat, and areas of natural and scientific interest. Based on detailed natural heritage reviews and fieldwork and the completion of an Environmental Impact Study (“EIS”), there are no Provincially Significant Wetlands (“PSWs”), Areas of Natural or Scientific Interest (“ANSIs”) or Significant Natural Heritage Features (“SNHFs”) on the subject lands. There are also no rare or uncommon vegetation units. The subject lands consist of permanent and intermittent warm water streams. No fish species at risk were identified within the streams or ravines on the subject lands.

Part V, Section 2 of the PPS also states that significant built heritage resources and significant cultural heritage landscapes shall be conserved. A Stage 1 and 2 Archaeological Assessment and a Cultural Heritage Assessment (including a review of built heritage resources and cultural heritage landscapes) were prepared for the subject lands. The two (2) built heritage resources on the subject lands (an apiary and a barn) are not significant built heritage resources, as defined in the PPS. During a field review, six (6) cultural heritage landscapes were identified, but only the Plater-Martin registered archaeological site is provincially significant, being a highly significant First Nations village site, and it is protected.

Part V, Section 3 of the PPS pertains to protecting public health and safety and contains policies regarding natural hazards and human-made hazards. Development must be directed to areas outside flooding and erosion hazards and hazardous sites as defined in the PPS. Proposed development on the subject lands has been directed away from lands designated and zoned “hazard” in the municipal planning documents (slopes and ravines) and the floodplains associated with the two minor streams on the subject lands will be managed through channelization. The creek channel will be naturalized with measures taken to protect any local species. The subject lands are not located adjacent to any

human-made hazards such as oil/gas, mineral mining, mineral aggregate operations or petroleum resource operations.

We have reviewed the PPS in its entirety and conclude that the proposed development is consistent with the policies regarding planning strong healthy communities; the wise use and management of resources; and protecting public health and safety.

Niagara Escarpment Plan (“NEP”)

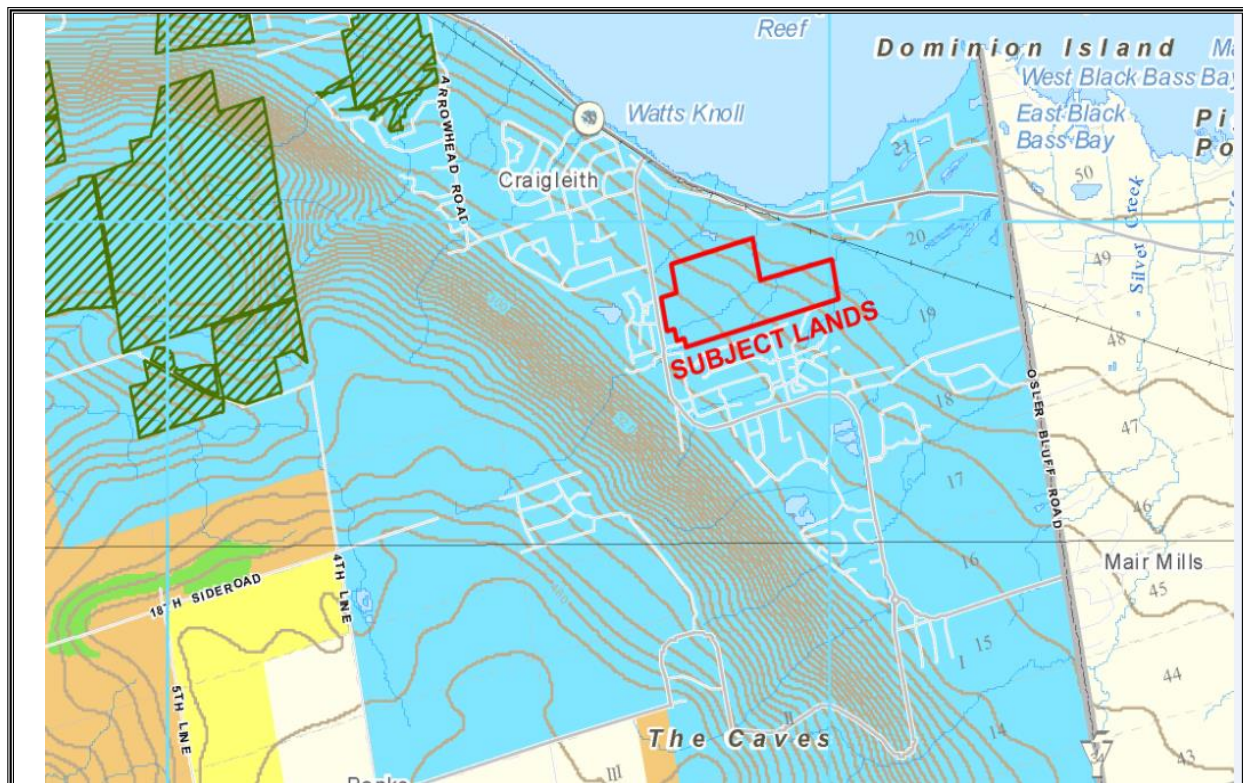


Figure 2 – Extract from Map 6 of the Niagara Escarpment Plan (“NEP”)

As shown on Figure 2, the subject lands are designated *Escarpment Recreation Area* (“ERA”) (teal/blue) in the NEP. The ERA designation recognizes existing or potential recreational development associated with the Niagara Escarpment and this designation allows for both seasonal and permanent residences.

There are six (6) objectives associated with the ERA designation and three (3) of those objectives are:

- *To provide areas where new recreational and associated development can be concentrated around established, identified or approved downhill ski centres.*

- *To recognize the importance of the Four Seasons Craigleith-Camperdown Recreation Area (in the Town of The Blue Mountains) to the tourism sector of Ontario's economy.*
- *To ensure that future recreational development is compatible with cultural and natural heritage values (e.g. fisheries and wildlife habitats) in the area.*

There are a number of listed permitted uses in the ERA designation and they include:

- *In ski centres, accessory buildings, structures and facilities (e.g. snow-making pond), signs, and the site modifications required to accommodate them and incidental uses (e.g. golf courses, tennis courts) and the site modifications required to accommodate them provided that any adverse effect on the environment is minimal.*
- *In ski centres, facilities such as ski runs, ski lifts, snowmobile trails, slide rides, toboggan runs, ski chalets and commercial development such as lodges, retail stores and service establishments associated with the centre.*
- *In the Craigleith-Camperdown and the Castle Glen Recreation Areas, uses as provided for in the Craigleith-Camperdown and Castle Glen Secondary Plans (in the Town of The Blue Mountains).*
- *Nature preserves owned and managed by an approved conservation organization.*

Based on the foregoing, the planned development includes uses permitted by the NEP. We note that the Town has not prepared a Craigleith-Camperdown Secondary Plan. However, the subject lands are designated *Residential Recreational Area* in the Official Plan for the Town and policies associated with this designation permit the type of development proposed.

All development within the area of the NEP is subject to Part 2, Development Criteria of the NEP, as well as requirements of official plans and zoning by-laws not in conflict with the NEP. Part 2 of the NEP acknowledges that not all of the criteria will apply to every development.

In our opinion, the following Part 2 Development Criteria apply to the proposed development: General Development Criteria (Part 2.2); Lot Creation (Part 2.4); New Development Affecting Steep Slopes and Ravines (Part 2.5); New Development Affecting Water Resources (Part 2.6); New Development Within Wooded Areas (Part 2.7); Wildlife Habitat (Part 2.8); Forest Management (Part 2.9); Heritage (Part 2.12); and Recreation (Part 2.13).

Section 2.2, General Development Criteria, lists circumstances which must be met in order to allow permitted uses. The development criteria that relate to the proposed development include:

- *The long term capacity of the site can support the use without a substantial negative impact on Escarpment environmental features such as contours, water quality, water quantity, natural vegetation, soil, wildlife, population, visual attractiveness and cultural heritage features.*
- *The cumulative impact of development will not have serious detrimental effects on the Escarpment environment (e.g. water quality, vegetation, soil, wildlife, and landscape).*
- *The site is not considered hazardous to life or property due to unstable soil conditions or possible flooding.*
- *Any development permitted should be designed and located in such a manner as to preserve the natural, visual and cultural characteristics of the area.*
- *Where development involves new roads, road improvements or service corridors, their designation and alignment should be in harmony with the Escarpment landscape.*
- *The design of subdivisions, condominiums or other similar forms of residential lot ownership within the Urban Areas, Minor Urban Centres and Escarpment Recreation Areas should be in harmony with and maintain the existing character of the Escarpment landscape.*
- *Development permitted should be designed and located in such a manner as to provide for or protect access to the Niagara Escarpment including the Bruce Trail Corridor.*

To address these general development criteria, a number of technical studies have been prepared including a Cultural Heritage Assessment Report (Built Heritage and Cultural Heritage Landscapes) (Section 2.12 of the NEP); Environmental Impact Study; Geotechnical/Slope Stability Report; Functional Servicing and Stormwater Management Report; Visual Impact Assessment and an Urban Design Report. All the technical studies conclude that the subject lands can support the proposed uses without a negative impact on Escarpment environmental features. The specific location for residential development on the subject lands is not hazardous to life or property due to unstable soil or flooding. Natural, visual and cultural characteristics of the area have been preserved to the greatest

extent possible. In our opinion, the proposed development is in harmony with the existing character of the area and promotes access to the Niagara Escarpment and nearby trails.

The objective associated with Lot Creation in Section 2.4 of the NEP is “to direct the formation of new lots to those locations that are the least environmentally sensitive.”

Development criteria associated with the creation of new lots include:

- *New lots to provide recreational opportunities should be created primarily in designated Escarpment Recreation Areas and in some Minor Urban Centres.*
- *The size and configuration of new lots shall be subject to the requirements of official plans and/or secondary plans, and where applicable, zoning bylaws and the objectives of the designation.*
- *New lots must satisfy the following criteria:*
 - *The location, design, size and density retain the open rural landscape and protect the natural features.*
 - *The design is in harmony with the existing heritage features and heritage areas of the Escarpment landscape.*
- *Where the implementing authority has approved a new lot for the establishment of a nature preserve, the property and details regarding the nature preserve’s ownership, size, characteristics and location shall be recorded and listed in Appendix 4 to this Plan. Removal of a nature preserve from the list in Appendix 4 will require an amendment to the Niagara Escarpment Plan.*

The creation of new lots will meet the Town’s Official Plan, as amended, and existing residential zones, with some modifications proposed to certain regulations, will be applied to the proposed new lots. Every effort has been made to locate, design and size the new lots to retain, as much as possible, the natural features and open landscape. In our opinion, the proposed development is in harmony with the existing Plater-Martin registered archaeological site (proposed Block 278).

Section 2.5 of the NEP contains policies for new development affecting steep slopes and ravines. Policies include the following:

- *The implementing authority will establish a minimum development setback from the brow or crest and toe of a slope or ravine and no disturbance of grades or vegetation below the crest or brow and above the toe shall occur.*

- *An engineering report shall be prepared by the applicant if the existing or future stability of the slope or ravine is in question.*
- *Development (e.g. ski facilities) should be designed in such a way as to minimize the disturbance and ensure the stability of Escarpment and ravine slopes.*

A Geotechnical Investigation and a Natural Hazard Setback and Slope Stability report were prepared for the subject lands. A development setback was established through the preparation of these reports. In our opinion, the requirements regarding steep slopes has been met.

Part 2.6 of the NEP contains policies for new development affecting water resources. The objective is:

- *To ensure that new development affecting streams, watercourses, lakes, wetlands, and groundwater systems will have minimum individual and cumulative effect on water quality and quantity, and on the Escarpment environment.*

Within this subsection of Part 2 of the NEP, there are various policies with respect to water quality; water quantity; wetlands; fisheries; flood plains and ponds. The NEP states that changes to the natural drainage should be avoided. Also, a setback from each side of a stream (or other water body) must be established in consultation with the Ministry of Environment and Climate Change, the Ministry of Natural Resources and Forestry and Grey Sauble Conservation Authority. The setback must consider the type of soil; types and amounts of vegetation cover; slope; as well as fish and wildlife.

The NEP states that for developments proposing a stream diversion, the applicant must demonstrate that it is essential and will not adversely affect water quality, quantity and the Escarpment environment.

The “wetland” located in the area of the proposed development is in fact the floodplain of the stream. The proposed development incorporates a realignment of the existing stream which will be integrated with a 60 metre wide greenway valley feature (i.e., contain the floodplain). This greenway valley feature will incorporate aquatic, riparian wetland, amphibian and wildlife habitat functions currently present on the subject lands.

The NEP states that flood control projects shall be carried out in accordance with the standards, policies or guidelines of the Ministry of Natural Resources and Forestry and/or Conservation Authority. It is further stated that flood control projects:

- *Should be designed and located to avoid or minimize the impact on wetlands, wildlife habitat, source areas, streams, steep slopes and other areas of visual and environmental significance.*
- *Should be designed so as not to adversely affect downstream water quality, quantity and adjacent lands.*

The Functional Servicing and Stormwater Management Report and the EIS address matters associated with the stream channel re-alignment. The stream morphology has changed over time and natural damming has altered the extent of the flood plain. The re-alignment is essential to provide sufficient area for development and will control flooding. The design of the re-alignment will ensure there is no adverse affect to downstream water quality, quantity or the adjacent lands.

Part 2.7 of the NEP contains policies for new development within wooded areas. The objective is to ensure new development preserves as much of the wooded areas as possible. Part 2.8 of the NEP contains policies regarding wildlife habitat. The objective is to “protect the habitat of endangered species (regulated) as prescribed by the *Endangered Species Act*, endangered (not regulated), rare, special concern and threatened, plant and animal species, and minimize the impact of new development on wildlife habitat.”

An EIS was prepared by SLR Consulting (Canada) Ltd. (“SLR”) and is dated February 2015. As part of this study, SLR contacted the Ministry of Natural Resources and Forestry (“MNR”) regarding Species at Risk that have the greatest potential to be present on the subject lands.

The Species at Risk screening results included: Barn Swallow (Threatened); Butternut (Endangered); Northern Long-eared Bat (Endangered); Canada Warbler (Special Concern); Eastern Wood Pewee (Special Concern); Milksnake (Special Concern); and Snapping Turtle (Special Concern). Three rare species were previously identified in the vicinity of the subject lands and include: Barn Swallow; Stiff Yellow Flax; Variegated Meadowhawk; and Snapping Turtle. Of these Species at Risk and Rare Species, two (2) were observed on the subject lands: Butternut and Eastern Wood Peewee.

Butternut

Twenty-two (22) Butternut trees were noted on the subject lands and most were relatively healthy with minimal spots as a result of the Butternut canker. Two (2) Butternuts have the potential to be affected by the proposed development. One (1) Butternut will be located approximately 25 metres from a proposed paved road and the other approximately 15 metres from the edge of a proposed paved road. The EIS states: “Construction and operation of the proposed development have the potential to indirectly impact the health of these individuals by accidental mechanical harm and soil compaction around their root zones.”

Birds

SLR observed the Eastern Wood Peewee (Special Concern), a flycatcher, in three (3) locations on the subject lands with one confirmed breeding area (plateau tableland of the Nipissing Ridge) which is far removed from the development area. Six (6) area sensitive birds were observed with only one confirmed breeding area for the American Redstart (bottom of Nipissing Ridge), also well removed from the development area. Habitat for other Species at Risk is either not located on the subject lands or is present but the species was not observed. It was recommended that the old barn/structures on the subject lands be inspected for Barn Swallow.

Section 2.9 of the NEP contains policies regarding forest management. The objective is to maintain and enhance the forests and associated animal and plant habitats. The EIS states that there are no rare or uncommon vegetation units on the subject lands. The significant features, which are primarily located in the eastern section of the subject lands (area not to be developed at this time) include:

- Butternut (mostly located at the bottom of the Nipissing Ridge)
- Mid-Age to Mature Forest (Nipissing Ridge)
- Seeps and Groundwater Indicators
- Wetlands
- Habitat for Eastern Wood Peewee and American Redstart
- Nipissing Ridge/Streams – habitat connectivity.

In the western section of the subject lands, where development is proposed, the vegetation is largely thicket habitat resulting from past disturbances and it has a lower ecological value than the eastern Mid-Age to Mature Deciduous Forest.

Both the wooded areas and endangered species have been thoroughly reviewed and documented in the EIS and in our opinion, the associated development criteria in the NEP are met.

Part 2.12 Heritage of the NEP states: “The objective is to inventory, interpret, evaluate, maintain and conserve the cultural heritage features of the Niagara Escarpment Plan Area”

There are seven (7) specific criteria listed in Part 2.12 and the applicable criteria are:

1. *Care should be taken to discover unknown and to preserve known archaeological sites (especially native burial sites) and areas where such sites might reasonably be expected to exist.*
2. *Existing heritage features, areas and properties should be retained and reused. To determine whether such actions are feasible, consideration shall be given to both economic and social benefits and costs.*
3. *New development including reconstruction, alterations and consideration of a second dwelling under Part 2.2.7 b) should be in harmony with the area's character and the existing heritage features and building(s) in general mass, height and setback and in the treatment of architectural details, especially on building facades.*
4. *When new development involves a heritage feature it should express the feature in some way. This may include one or more of the following:*
 - a) *Preservation and display of fragments of the former buildings' features and landscaping;*
 - b) *Marking the traces of former locations, shapes and circulation lines;*
 - c) *Displaying graphic verbal descriptions of the former use; or*
 - d) *Reflection of the former architecture and use in the new development.*
5. *Where development will destroy or significantly alter cultural landscapes or heritage features, actions should be taken to salvage information on the*

features being lost. Such actions could include archaeological salvage and excavation, and the recording of buildings or structures through measured drawings or photogrammetry or their physical removal to a different location.

To address Part 2.12 of the NEP, Archaeological Services Inc. (“ASI”) prepared a Built Heritage Resources and Cultural Heritage Landscapes Report (January 2014). Historic research indicates that the subject lands are part of a rural land use history dating back to the early 19th century. Two (2) built heritage resources and six (6) cultural heritage landscapes (“CHL”) were identified on the subject lands.

Built Heritage

An apiary and work area (north of the Helen Street unopened road allowance) is one (1) identified built heritage resource. On the south side of the Helen Street unopened road allowance there is an orchard and the apiary was likely associated with this orchard. Photographs were taken of the apiary but the pallets, and structural elements of the former apiary have been removed.

The other built heritage resource identified is a barn, which has cinderblock and cement additions, and was used in recent years as a storage facility. The historic elements are broken-coursing fieldstone foundation walls with wood-framed, single pane windows. This building will not be preserved but was photo-documented within the Cultural Heritage Documentation Report dated March 2014 prepared by ASI.

Cultural Heritage Landscapes

Of the six (6) CHLs identified, two (2) will be protected. One CHL to be protected is the registered Plater-Martin archaeological site which will be conveyed to the Town for the establishment of a cultural heritage park. This resource is reviewed in detail in the Stage 1-2 Archaeological Resource Assessment prepared by ASI in 2013. The site has been disturbed by recent archaeological activity and disturbed by a widespread growth of sumacs.

The other CHL to be protected is the stream traversing the subject lands and following the ravine below the Plater-Martin site.

CHL’s 1, 2 3 and 5 will be altered permanently but have been documented by ASI. CHL 1 is a historic field with remnant field boundaries featuring glacial till rake-out, snake-fencing and tree-lines associated with the Buie family (past landowners). CHL 2 is a historic field with snake-fencing, boulder-fencing, and metal post-and-wire fencing, historic tree-lines and a remnant historic ditch associated with Thomas Martin (past

landowner). CHL 3 is open space within the south-central portion of the subject lands being an altered non-cultivated farm landscape associated with the Buie family. CHL 5 is a primary pedestrian circulation route through the subject lands which follows the stream. Where the path intersects with the Helen Street unopened road allowance, just west of the apiary, it is signed as “Home Farm Route 1”. The path is maintained and appears to be used as a recreation footpath and Nordic ski/snowmobile track.

Based on the preceding discussion on the NEP policies and development criteria, in our opinion the proposed development conforms to the NEP. All the technical studies were prepared to address NEP policies and development criteria and these studies also inform conformity to the County and Town Official Plans.

Grey County Official Plan

The Grey County Official Plan (“GCOP”) contains three (3) main land use designations for concentrated development: *Settlement Areas*; *Recreational Resort Areas*; and *Inland Lakes and Shoreline Areas*. The subject lands are designated *Recreational Resort Area* in the GCOP (see Figure 3 below).

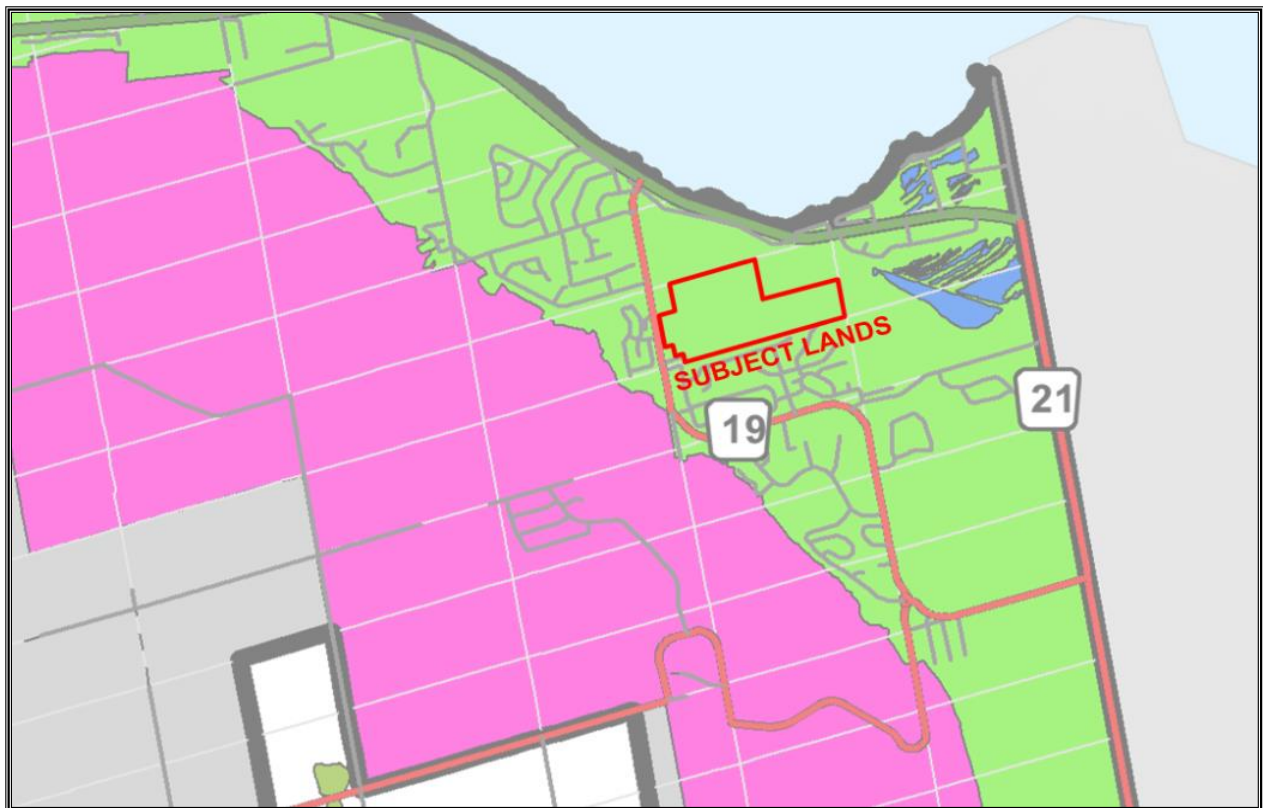


Figure 3: Extract from Schedule A – Land Use Designations – Map 2 – Grey County Official Plan. Green – Recreational Resort Area – Pink – Escarpment Recreation Area

Communities designated *Settlement Area* are distinguished as primary, secondary or tertiary settlement areas. Thornbury is a primary settlement area. To the east of Thornbury, along the Georgian Bay shoreline and moving inwards, there is a band of land designated *Recreational Resort Area* wherein the subject lands lie. To the west of the subject lands, the area is designated *Escarpment Recreational Area* wherein hiking trails and ski hills are located and around which recreational-oriented residential areas have developed.

The *Recreational Resort Area* designation applies to defined areas wherein development with specific recreational amenities are anticipated, as well as dwelling units on full municipal services.

Section 2.6.7 of the GCOP contains policies pertaining to the *Recreational Resort Area* designation. Subsections 2.6.7 (2) and (3) state:

- (2) *New development in the Recreational Resort designation must serve the public interest by contributing to the provision of community recreational amenities, by facilitating municipal service infrastructure, and by accommodating existing un-serviced development areas and areas with development potential within the existing designation or settlement area.*
- (3) *The Recreational Resort designation will strive to enhance recreational and tourism related activities by:*
 - a) *encouraging the maintenance and expansion of existing recreation and tourism related facilities.*
 - b) *encouraging new land use that will promote existing or require the establishment of new recreation and tourism facilities which diversify opportunities for all possible forms of recreation such as skiing, snowmobiling, fishing, hunting, golfing, walking, hiking, biking, equestrian and nature trail uses, water access activities, all in a manner consistent with the preservation of the natural environment as defined in Section 2.8 of this Plan.*
 - c) *supporting the dedication/acquisition of land for long-term public benefits within the existing designation or settlement area.*
 - d) *Supporting the creation of public-private partnerships in a fiscally responsible manner.*

For those areas designated Recreational Resort located within the Niagara Escarpment Plan, the policies of Section 2.5.2 shall also apply.

Section 2.5.2 of the GCOP contains policies for the *Escarpment Recreation Area* designation which have been discussed above.

In our opinion, the proposed development does serve the public interest by contributing to the provision of public parkland including a community heritage park. Municipal services are being provided and the development potential of any un-served development areas is not affected.

The proposed development will, in our opinion, contribute toward the expansion of existing recreation and tourism related facilities such as the Craigleith Ski Hill. The types of recreation encouraged also include hiking and snowmobiling on existing trails and the proposed development will protect hazard lands and provide public parkland including the Craigleith Heritage Park which will be conveyed to the Town.

We have reviewed the GCOP in its entirety and in our opinion the proposed residential development conforms thereto.

Town of the Blue Mountains Official Plan ("TBMOP") In Effect

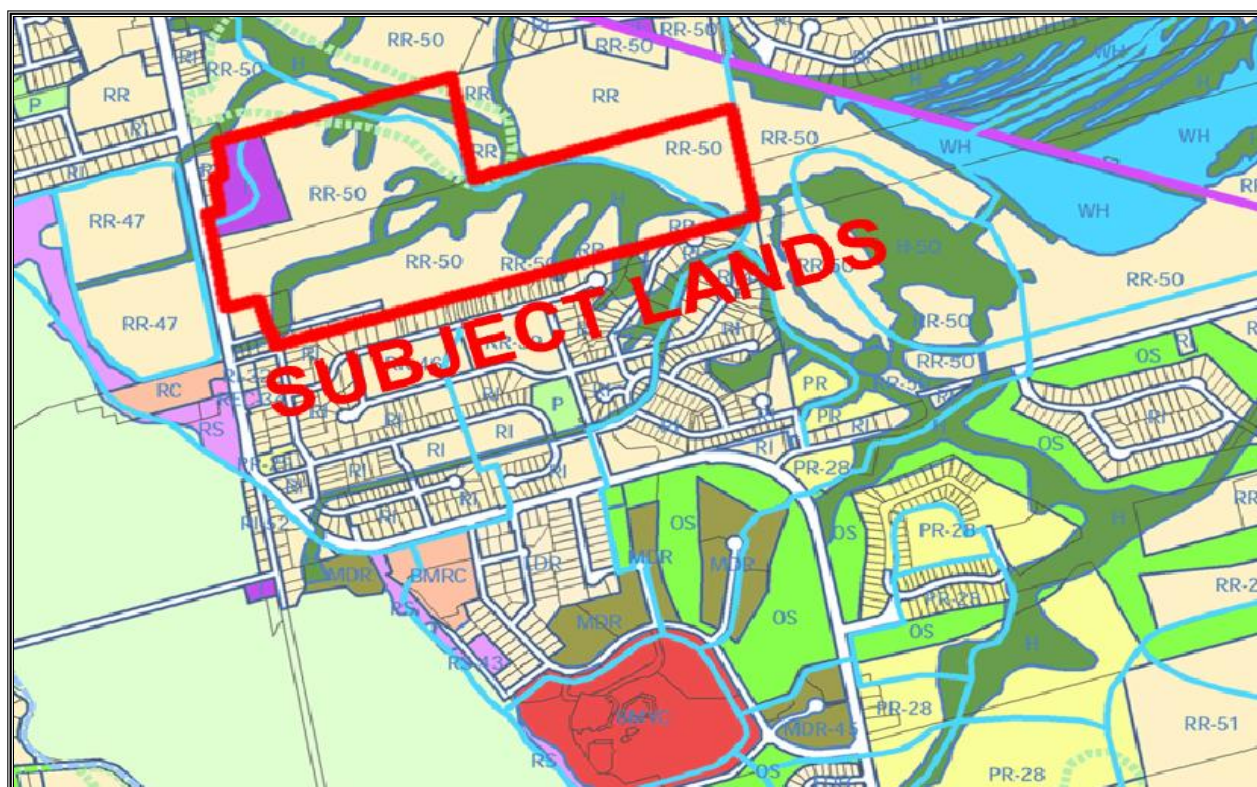


Figure 4: Extract from Map 4, Town of The Blue Mountains Official Plan

The subject lands are designated *Residential Infill* (land south of Helen Street right-of-way); *Recreational Residential* (RR-50); *Institutional* (purple) and *Hazard Lands* (green) on Map 4 to the TBMOP (see Figure 4).

Section 4, Land Use Designations, Subsection 4.11 contains the *Recreational Residential* (RR) policies. Permitted uses include single-detached dwellings and other housing types may be permitted including duplexes and townhouses. In addition, recreational uses such as parks, trails, community centres, and equestrian and racquet facilities may be permitted. The intent is to create a year-round resort area. Subsection 4.11.3 states: “Development shall generally be designed in a clustered manner so that 40% of the lands comprise the recreational open space component, with the remaining 60% of the land comprising the residential segment.”

The majority of the area to be developed is currently designated *Recreational Residential Exception 50*. The Exception policies are found in Section 13 of the TBMOP. For Exception 50, there are general policies (Part A) and specific policies (Part B). The general policies in Part A of Exception 50 include (but are not limited to) the following:

- *All development shall be subject to the density limitations under Schedule “B” unit yields, which includes applicable bonus densities;*
- *Every application must include a Development Report in accordance with Section 8.25;*
- *A Master Development Agreement and/or Cost Sharing Agreement is required;*
- *Low intensity uses will be promoted, to maintain and enhance the open landscape character, and to protect the natural heritage features and functions;*
- *Development shall be setback sufficiently from the crest of any slope, valley or ravine, watercourse embankment, wetland, and the toe of the Escarpment;*
- *Appropriate setbacks shall be established in the implementing Zoning By-law;*
- *A minimum 15 metre setback is required from the top of the Lake Nipissing Shoreline Ridge. Lands adjacent to the Nipissing Ridge may also require the preparation of Building Envelope and Tree Preservation/Landscape Plans to the satisfaction of the Town and the NEC in consultation with the Conservation Authority;*
- *No development, new lots or development blocks or site alteration including the removal or disturbance of vegetation shall be permitted within 15 metres of any warm water stream or 30 metres of any cold water stream; and,*

- *Buffer strips with a minimum width of 10 metres adjacent to the road allowance shall be required along Country Roads 19 and 21.*

Part B of Exception 50 provides specific policies for specific properties. The subject lands are identified as Parcels A17 – Part Lot 20, Concession 2 and the specific policy states:

Development of these properties is also required to provide for a 9 hole golf course and for other recreational commercial facilities with a clubhouse/private recreational commercial building with a maximum of a 1,300 [square] metre maintained building, dedication of the Heritage Park, associated public trails and other Environmental features to the Town.

It is the intent that the policies associated with the RR-50 and A17 Exceptions be replaced with a new RR Exception Number. Policies specific to the subject lands are provided within the draft Official Plan Amendment (“OPA”) document. The intent of the policies will remain the same, but an increase in density is proposed and, for example, a golf course is not proposed for the subject lands.

Schedule ‘B’ to the OP indicates the potential unit yields in the Town’s Service Districts and the subject lands are located in Service District 1 – Craighleith. The subject lands are shown as areas A17a, A17b and A17c totalling approximately 33.4 hectares with a maximum unit yield of 166. The lands exchanged with the Town for development purposes (the lands designated *Institutional*) are approximately 4.0 hectares which would in theory increase the development area to approximately 37.4 hectares.

We are not aware of the method used to calculate the areas of A17a, A17b and A17c. However, based on the OP mapping, these are the areas not designated *Hazard Lands*. For the purposes of the discussion below, we are using areas indicated on the draft plan of subdivision, prepared by Higgins Engineering Limited.

The total area of the draft plan of subdivision is 60.3 hectares. Blocks 305 and 306 are shown on the draft plan but are to be retained by the Owner and they total approximately 19.3 hectares. Blocks 302-304 are the steep slopes designated *Hazard* and they total approximately 4.4 hectares. Blocks 294, 297 and 298 represent the re-alignment creek channel (*Hazard Lands*) and they total approximately 2.3 hectares. The balance of the lands, i.e., those lands proposed to be developed at this time and currently designated *Residential Infill*, *Recreational Residential* (RR-50) and *Institutional*, total approximately 34.3 hectares.

Assuming a gross development area of 41 hectares (60.3 – 19.3 hectares [Blocks 305 and 306]) approximately 24.6 hectares could be devoted to the residential segment (60%) and approximately 16.4 hectares (40%) would form the open space component.

Based on the draft plan, we have calculated that approximately 21 hectares comprise the residential segment, being Lots 1-277, the common elements and the recreation centre lands and approximately 20.0 hectares comprise open space components (hazard lands, parks, etc.). The split between the residential and open space components is approximately 52% and 48% respectively and therefore the open space component is exceeded by 8%.

As per the existing OP, the residential density is not to exceed 2.5 units per hectare of land designated for residential purposes, with the provision to provide for up to a maximum of 5 units per hectare, subject to the Owner providing additional recreational lands and/or facilities.

While *Hazard* lands can be considered part of the required open space component, they are not included in the area for density purposes. Approximately 6.7 hectares of the lands proposed to be developed at this time (6.7 hectares of the 41 hectares) are *Hazard*, leaving approximately 34.3 hectares designated for residential purposes. Based on 2.5 units per hectare, approximately 86 units would be permitted and based on 5 units per hectare approximately 172 units would be permitted.

The purpose of the OPA application is to re-designate lands to permit residential development (i.e., *Institutional* lands) and to increase the permitted density from a maximum of 5 units per hectare to 8.2 units per hectare (34.3 hectares x 8.2 units per hectare = 281) to permit the proposed 277 units. The proposed OPA will amend the land use designations shown on Schedule 'A' – Land Use Plan and amend the maximum unit yields shown on Schedule 'B' – Maximum Unit Yields. Section 13 to the TBMOP will be amended to add a new Subsection that provides specific policies for the Home Farm development (see Attachment No. 2 - Draft Official Plan Amendment). The proposed OPA is similar to Amendment No. 27 to the TBMOP for the Georgian Gate development.

We have reviewed the TBMOP in its entirety and in our opinion, the proposed residential development complies with the balance of the Official Plan policies, i.e., those policies not specifically related to density.

Town of the Blue Mountains New Official Plan (Adopted)

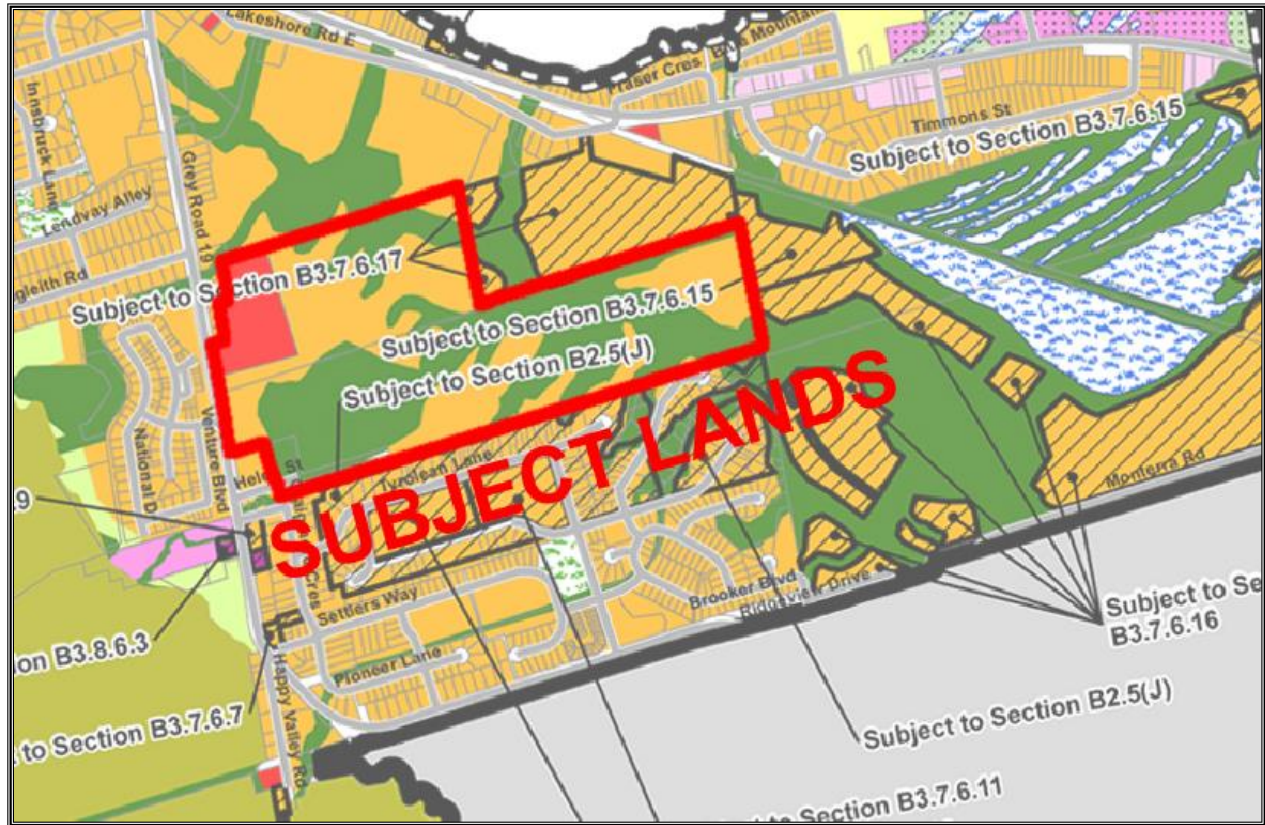


Figure 5: Extract from Schedule A-4, Town of The Blue Mountains Official Plan

The new Official Plan policies are structured within six (6) parts with seven (7) schedules. Schedule A-4 – Craigeith and Swiss Meadows shows the subject lands designated *Residential Recreational Area* (gold) and *Hazard* (dark green) (see Figure 5 above). Policies within Parts A, B, D and E of the OP apply to the *Residential Recreational Area* designation and the policies within Part C (Water, Environmental and Hazard Policies) apply to the *Hazard* designation.

The purpose of the *Hazard* designation is:

“to identify those lands having inherent environmental hazards such as flood susceptibility, erosion susceptibility, and dynamic beach hazards, and hazardous sites that exhibit instability, or poor drainage, or any other physical condition which is severe enough to pose a risk for the occupant, property damage or social disruption if developed.”

As mentioned above, the subject lands are divided into the upper and lower plateaus by the Nipissing Ridge. The upper plateau (west portion of the subject lands) contains minor watercourses and the *Hazard* designation reflects the potential floodplains. The lower

plateau (east portion of the subject lands) contains the Nipissing Ridge and ravines and the *Hazard* designation reflects the erosion susceptibility and instability.

The *Residential Recreational Area* land use designation is an urban designation for the area which extends along the Georgian Bay shoreline and to the south, and this area is to function as a resort-related residential and recreational community [Page 23 of the OP]. This area is reflective of the *Recreational Resort Area* settlement area in the County Official Plan.

Subsection B3.7 of the OP contains the *Residential Recreational Area* policies including permitted uses and development policies. This designation permits a range of residential dwelling types as well as bed and breakfast establishments, home occupations and home daycare. The recreational uses permitted include golf courses, parks, open space, trail uses, equestrian facilities, community centres, cultural facilities, recreational clubs, racquet facilities and other similar day use facilities.

Developments within the *Residential Recreational Area* are to “provide generous amounts of open space to facilitate recreational opportunities and to maintain the resort, open landscape *character* and image of the area” [Subsection B3.7.4.1 – words in italics defined in the OP]. Subsection B3.7.4.1 also states:

It is intended that all development shall be of the clustered form, compact in nature, and interspersed with open space areas and recreational uses. The majority of lots or units in any development should have direct access to the public or private open space. All lots shall have access to public open space pedestrian walkways, with linkages to sidewalks along roadways.

The OP permits a maximum density of 10 units per net hectare and a minimum open space component of 40%. “Net Hectare” is defined in the new OP as follows:

Means the area of land measured in hectares utilized for buildings and lots, but excluding all public roads and widening, public parks, open space blocks, school site, local commercial areas, places of worship and other public lands.

Wetlands and *Hazard* lands may be included as lands which contribute to the open space component of a development but are not included for the purpose of calculating maximum permitted development density.

The net area has been calculated to be approximately 21.3 hectares which includes the area for Lots 1-277 (approximately 14.2 hectares); the Recreation Centre lands (approximately 0.9 hectares); and the Common Elements excluding the SWM facilities (approximately 6.2 hectares). The remainder of the lands include Hazards Lands

(streams, ravines) and lands to be become public (municipal rights-of-way; heritage site; parks and pump station/SWM facilities).

Based on 21.3 net hectares, the permitted number of units at 10 units per net hectare is 213 dwelling units, whereas 277 are proposed. Subsection B3.7.4.1 of the OP states that densities above 10 units per net hectare may be permitted through bonusing as described in Section E1.5.

Bonus Density

As mentioned above, the number of dwelling units proposed is 277 and 213 dwellings would be permitted based on a residential density of 10 units per net hectare. To achieve the 277 dwelling units, a density of 13 units per net hectare is required. For the *Residential Recreational Area* the OP allows for a density increase to a maximum of 15 units per net hectare provided a number of policies are addressed to the Town's satisfaction.

Section E1.5 of the OP states that Council may pass a by-law to increase the density permitted by the OP "if the increase will result in the provision of a significant public benefit that would have not otherwise been realized".

There are nine (9) significant benefits listed in Subsection E1.5.1 of the OP and two (2) state:

- *Provision of parkland over and above what would be required by this Plan; and,*
- *Dedication of lands that are the site of a natural heritage feature and related buffers.*

The total area of the draft plan of subdivision is approximately 60.3 hectares and 5% of the draft plan area would be approximately 3.0 hectares. Block 299 (approximately 2.3 hectares) and Block 300 (approximately 3.5 hectares) are both shown on the draft plan of subdivision as park blocks and total approximately 5.8 hectares. This is over and above the parkland required by the OP.

The Plater-Martin site is shown as Block 278 (approximately 4.7 hectares) on the draft plan of subdivision and will be conveyed to the Town for a Community Heritage Park. In our opinion, the over-dedication of parkland and the dedication of 4.7 hectares of a provincially significant heritage site results in a significant public benefit. This would enable Council to permit an increase in the density from 10 units per net hectare to 13 units per net hectare to facilitate the proposed development.

Subsection E1.5.2 states that there must be a clear and measurable public interest served by the granting of a density bonus and Council must be satisfied that:

- a) *the proposed development will conform with the development policies of the applicable designation of this Plan;*
- b) *the built form will contribute to the community design policies of this Plan;*
- c) *the use will be a positive addition to the urban landscape and contribute to the vibrancy of the urban area; and,*
- d) *the development of the use will potentially facilitate the development or establishment of other uses in the area, thereby furthering the objectives of this Plan.*

The proposed development conforms to the development policies associated with the *Residential Recreational Area* designation. We have reviewed the Community Design policies in Section D5 of the new OP and conclude that the built form is consistent with the community design objectives and policies. In particular, in our opinion the design is high quality and complementary to and compatible with existing development.

The proposed development is also complementary to and compatible with the Town's cultural and natural heritage and will foster a strong sense of civic identity and pride. The Nipissing Ridge will be preserved as well as the Plater-Martin site. In our opinion, the proposed development will be a positive addition to the urban landscape and will further the objectives of the OP.

The Community Design section of the OP also includes Views and Vistas and Cultural Heritage policies. Subsection D5.4 a) states:

The preservation, enhancement and/or creation of significant views and vistas shall be encouraged as part of comprehensive planning studies, such as Secondary Plans and during the review of development applications. Examples of significant views include the Niagara Escarpment, Nipissing Ridge, waterfront areas, the Downtowns, important public or historic buildings and natural heritage features and open space.

Subsection D5.6 states:

Development shall be designed to incorporate, conserve and enhance identified heritage resources as distinct elements and/or focal points, and incorporate these features into the overall site and building design in accordance with Section D3.

In support of the proposed development, a Visual Impact Assessment and a Built Heritage & Cultural Heritage report have been prepared and are discussed in more detail in a latter section of this report.

Open Space Component

As stated above, the OP permits a maximum density of 10 units per net hectare and a minimum open space component of 40%. The open space component calculation is based on all the lands within a plan of subdivision, and *Wetlands* and *Hazard* lands may be included in the open space component. Based on the Draft Plan of Subdivision, Table 1 indicates the draft plan blocks that form the open space component.

Table 1: Open Space Component

Block	Land Use	Area (Hectares)
Block 278	Plater Martin Site	4.7352
Block 300	Park	3.5405
Block 299	Park	2.2841
Block 294	Open Space – Ravine - Hazard Lands	0.1601
Block 297	Open Space/Creek Channel – Hazard Lands	1.2954
Block 298	Open Space/Creek Channel – Hazard Lands	0.8248
Block 302	Open Space – Hazard Lands	2.3712
Block 303	Open Space – Hazard Lands	1.6989
Block 304	Open Space – Hazard Lands	2.3712
Block 280	SWM/Parking	0.6168
Block 289	SWM/Parking	0.7181
Block 293	SWM/Open Space/Parking	1.1618
Block 281	Open Space/Parking	0.4105
Total		20.1089

The total area of the draft plan is 60.3 hectares with 19.3 hectares to be retained by the Owner as future development blocks. The portion of the draft plan to be developed at

this time is approximately 41 hectares and the open space component of approximately 20 hectares equates to 48%, whereas only 40% is required (16.4 hectares).

Landscape Analysis

Subsection B.3.7.4.3 of the OP states that plans of subdivision/condominium shall be accompanied by a landscape analysis 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.*

On June 24, 2014, the NEC staff approved the Visual Impact Assessment (“VIA”) Terms of Reference submitted by Seferian Design Group (“SDG”). NEC staff and SDG agreed on three (3) critical visibility areas for viewshed mapping: North and South along Grey Road 19; Highway 26; and the Georgian Trail Easement. The visual baseline was established by SDG. The VIA analyzes proposed changes to the landscape character and assesses the visual impact associated with the proposed development.

The VIA includes three (3) major components:

1. Viewshed Analysis – Preparation of a Viewshed Map where proposed dwellings would be visible from existing and proposed roads and public lands. Ten (10) Receptor Points (see Figure 6) were identified on the Viewshed Map which was approved by NEC staff on January 7, 2015;
2. Photographic Simulations – Required for Receptor Points 2 through 6 and not required for Receptor Points 1, and 7-10;
3. VIA Report – The report evaluates each photographic simulation to address: landscape character sensitivity, magnitude of landscape resource changed, and magnitude of visual resource change. The report includes specific recommendations regarding setbacks, buffer zones and view corridors as well as recommendations regarding mitigating and managing impacts at each viewpoint.

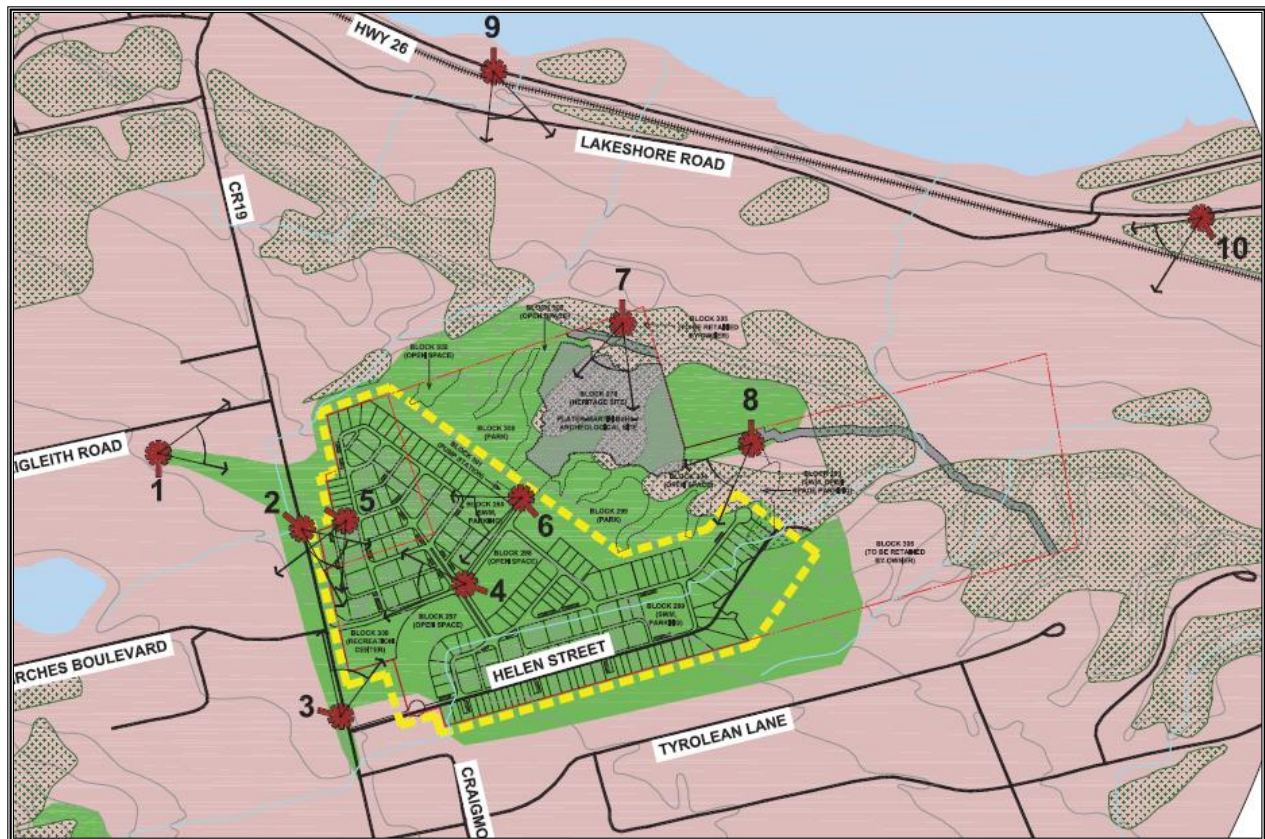


Figure 6: Extract from Visual Impact Assessment Report – Shows Receptor Points 1-10

For Receptor Points 1-3, existing development and vegetation along the east side of Country Road 19 will screen most, if not all of the proposed development. The new recreation centre (Block 308) will be screened from Receptor Point 3 (Grey Country Road 19) by the existing coniferous tree buffer. Existing vegetation south of Block 308 will not be disturbed. From Receptor Points 2 and 3, views of the existing residential development to the west could be mitigated by planting a coniferous buffer within Open Space Block 281 and a coniferous buffer within the Recreation Centre Block 308.

Receptor Point 4 is located approximately midpoint on the proposed new public road (Ekarenniondi Street). Views of the Escarpment slopes to the west and northwest will be partially reduced, with views to the southwest better maintained. From Receptor Point 5, portions of the proposed development will screen Escarpment views to the south. Within Blocks 298 and 308 (Open Space and Recreation Centre blocks respectively), new plantings can be introduced to enhance the views. Given the creek channel open space blocks south of Ekarenniondi Street, southwest views from Receptor Point 6 will be essentially maintained. However, views to the west or northwest will be partially reduced. To the east, the landscape will be protected and undisturbed given the open space blocks

and the heritage block. For Receptor Points 7 through 10, there will be no impact on the viewsheds given that the existing vegetation and elevations will remain unchanged.

We have reviewed the new Official Plan in its entirety and in our opinion, the proposed residential development conforms to the balance of the Official Plan policies, i.e., specific policies not related to density as an OPA may be required.

It should be noted that the Owner has advised the County they object to the expansion of the *Hazard* designation on the west portion of the subject lands (expansion of *Hazard* area beyond that currently depicted in the existing, in effect OP) as shown on Schedule A-4 to the recently adopted Official Plan.

TOWNSHIP OF COLLINGWOOD ZONING BY-LAW 83-40

The Town currently has two Zoning By-laws in effect: the (Former) Town of Thornbury Zoning By-law No. 10-77, adopted in 1977 and the (Former) Township of Collingwood Zoning By-law No. 83-40, adopted in 1984. The Town is currently working on a new Comprehensive Zoning By-law. Township of Collingwood Zoning By-law No. 83-40 applies to the subject lands.

The subject lands are currently zoned Deferred Development (DD) and Hazard (H) in (Former) Township of Collingwood Zoning By-law No. 83-40 (“Zoning By-law”).

We have reviewed the existing Residential Zones in the Zoning By-law and the associated regulations. We are proposing the R2 and R3 Zones for the single detached lots; a R4 Zone for the semi-detached lots; and the R6 Zone for the townhouse blocks. Similar to other cluster forms of development within the Town, such as “The Orchard” and “Georgian Gate”, a site-specific zoning by-law amendment (“site-specific zoning”) with a new exception numbers will be required (see Attachment No. 3 - Draft Zoning By-law Amendment “ZBA”).

The draft ZBA provides a preliminary indication of the site-specific regulations required for certain dwelling types and the proposed recreation centre. Additional site-specific regulations may be required upon further review of the lot pattern and the draft plan of subdivision overall. For example, the setback for dwellings/buildings from the *Hazard* designation will need to be confirmed with the Town based on a review of the technical reports.

TECHNICAL REPORTS IN SUPPORT OF THE APPLICATIONS

Stage 1 and 2 Archaeological Assessment

Archaeological Services Inc. (“ASI”) prepared a Stage 1 and 2 Archaeological Assessment for the subject lands dated January 27, 2015. The assessment considered the proximity of previously registered archaeological sites; the development history of the subject lands and its overall setting within the area. The assessment did not include the Plater-Martin (BdHb-1) site as it has been subject to a number of previous assessments. Given the location of the two (2) streams on the subject lands; the importance of Grey Road 19 as a historical transportation corridor; and the two registered sites to the north (Plater-Fleming (BdHb-2) and Goodchild (BdHB-3)), ASI concluded: “there is potential for the presence of pre-contact Aboriginal and Euro-Canadian archaeological resources” on the subject lands.

The Stage 2 field assessment was completed in June and July of 2013. A test pit survey was conducted at five (5) metre transect intervals within the areas deemed to have archaeological potential. Previously disturbed areas; steeply sloped areas (Hazard Lands) and the wet, inundated low-lying areas were not surveyed as they were deemed to have no archaeological potential. No archaeological resources were found during the Stage 2 field assessment.

Given that no Stage 2 assessment is capable of detecting ossuaries or burials, ASI recommends that a licensed archaeologist must be present to monitor all preliminary grading and soil removals within the portions of the subject lands to be developed. This will minimize the risk of impacting any possible ossuary or burial area associated with the Plater-Martin site.

Built Heritage Resources and Cultural Heritage Landscapes Report

ASI prepared a Built Heritage & Cultural Heritage Report dated January 21, 2014. Development Criteria in the NEP requires a developer “to inventory, interpret, evaluate, maintain and conserve the cultural heritage features of the Niagara Escarpment Plan Area” (Part 2 - Section 2.12 Heritage of the NEP). The OP also requires such a review.

To address Part 2.12 of the NEP and the OP, Archaeological Services Inc. prepared a *Built Heritage Resources and Cultural Heritage Landscapes Report* (January 2014). Historic research indicates that the subject lands are part of a rural land use history dating back to the early 19th century. Two (2) built heritage resources and six (6) cultural heritage landscapes (“CHL”) were identified on the subject lands.

Both an apiary and a barn (with a recent cinderblock addition) will not be preserved but have been fully documented. Of the six (6) cultural heritage landscapes identified, two (2) will be protected. One CHL to be protected is the registered Plater-Martin archaeological site which will be conveyed to the Town for the establishment of a cultural heritage park. The other CHL to be protected is the watercourse traversing the subject lands and following the ravine below the Plater-Martin site.

CHL's 1, 2 3 and 5 will be altered permanently but have been documented by Archaeological Services Inc. Both CHL1 and CHL 2 are historic fields and CHL3 is an open space within the south-central portion of the subject lands. CHL 5 is a primary pedestrian circulation route through the subject lands which follows the stream.

Cultural Heritage Documentation Report

Archaeological Services Inc. prepared a Cultural Heritage Documentation Report dated March 2014. The report provide a cultural heritage documentation of the former stone barn on the subject lands. Photographs and measurements were taken. The report concludes that the barn was likely constructed by the Buie family in the mid to late nineteenth century and three (3) additions have taken place over time. The barn has been altered but stone foundations and wall remain, as well as original window and door openings.

As the barn is proposed to be removed, ASI recommends that a copy of the Cultural Heritage Documentation Report be archived with the Craigeith Heritage Committee and the Ontario Archives.

Environmental Impact Study

An Environmental Impact Study ("EIS") was prepared by SLR Consulting (Canada) Ltd. ("SLR") dated February 2015. The results and conclusions of the EIS are contained in various preceding sections of this report including the discussion on the PPS and the NEP.

In summary, the study includes an analysis of the existing conditions including general physiology and geology; terrestrial resources; and the aquatic environment. Impacts on the Terrestrial Ecosystem and Aquatic Environment are discussed as well as mitigation measures.

Within the development area, the existing creeks will be realigned. As stated in the EIS, creek realignments have the potential to cause harm to fish and fish habitat through improper design and increased sediment loading. The majority of the realignment works will occur during the dry season to reduce potential adverse effects on fish and fish

habitat. As stated in the EIS: “Approximately 679 m of the existing channels will be decommissioned, flows in Water Feature A and B will be combined, and approximately 754 m of watercourse length will be created; a total net gain of approximately 75 m (112,103 m²) of aquatic habitat..”.

The site design removes 5.4 hectares of wetlands which are largely thicket swamps. The realignment will be designed by hydrogeologists, fluvial geomorphologists, aquatic ecologists, and terrestrial ecologists to maintain wetland features and functions.

Functional Servicing and Stormwater Management Report

A Functional Servicing and Stormwater Management Report was prepared by Higgins Engineering Ltd., dated April 2015. The subject lands are divided into the upper and lower plateaus by the Nipissing Ridge. The upper plateau (area to be developed at this time) slopes down at approximately 3% to the Nipissing Ridge. The site is bisected by a creek which originates on the ski hills to the west. This creek drains the area identified as watershed 701 in the Craigeleith Camperdown Subwatershed Study. The creek enters the subject lands via a culvert under Helen Street at the southwest corner of the subject lands, follows a man-made channel and flows easterly towards two ravines in the Nipissing Ridge. At the base of the Nipissing Ridge there is a well-defined channel which then exits the subject lands onto lands owned by Eden Oak where the watercourse is being redesigned.

The subject lands are subject to a Master Servicing Plan adopted by Town Council on June 19, 2000 and a 250 mm diameter sanitary sewer was subsequently extended along Grey Road 19 to service “The Orchard” development, directly to the west of the subject lands. Sanitary sewers within the proposed development will drain to a Sanitary Pump Station on Ekarenniondi Street where it will be pumped to Grey Road 19 and north to the existing sanitary sewer manhole. Approximately 22 units will be too low to drain to the Sanitary Pump Station and a low pressure pipe system will be used connecting to the internal gravity system.

A 350 mm diameter watermain exists on the east side of Grey Road 19, along the frontage of the subject lands. The watermain within the area north of Ekarenniondi Street will be looped through the north limit of Block 287 to Grey Road 19. The watermain within the area south of Ekarenniondi Street will be looped to Grey Road 19 via Helen Street.

Municipal and private roadways will be drained by a storm sewer system and drainage from the laneways will be directed to the storm sewers. The storm sewers will drain to the SWM facilities (wet ponds) for quantity and quality (Enhanced Level of Protection) control prior to release into the watercourse. The Block 280 SWM facility will outlet to the

realigned central creek and the Block 289 SWM facility will discharge into the existing ravine (Block 304).

The subject lands are included within the Craighleith Camperdown Subwatershed Study prepared by Gore and Storrie dated November 1993. The channel cross-section (Blocks 297 and 298) consists of a centre low flow channel designed for the 25 year flows and a broader main channel designed for the Region Storm. Water will flow at a depth and velocity that will not impact residents and does not exacerbate flooding. The stormwater management design is based on standards of the Town of the Blue Mountains, the Grey Sauble Conservation Authority and the Ministry of the Environment and Climate Change.

The new channel will be designed to provide a floodplain and pool areas with shallow water depths to create thicket wetland habitat. This will re-create existing amphibian habitat. No specialized aquatic species or habitat was identified during field investigations. The fish observed, are generally associated with urbanization and disturbed habitat (Blacknose Dace, Creek Chub and Fathead Minnow). The new channel design will support resident fish species i.e., riffle, run and pool habitat with a range of substrate types and sizes. Baird and Associates recommended features to be incorporated into the realigned creek channel. The channel works will be subject to a detailed study and fisheries permit by SLR Consulting (Canada) Ltd.

Visual Impact Assessment

A Visual Impact Assessment ("VIA") was prepared by Seferian Design Group ("SDG") dated June 2015. The VIA includes a viewshed analysis from ten (10) Receptor Points (approved by NEC staff); required photographic simulations for five (5) of the Receptor Points; and a VIA report. The assumptions included a proposed development structure height of 10 metres (32.8 feet); a proposed grade of +1 metre (3.28 feet); a tree and hedgerow height of 15 metres (50 feet); and a viewer height of 1.5 metres (5 feet). The VIA report evaluates each photographic simulation based on landscape character sensitivity; magnitude of landscape resource change; and the magnitude of the visual resource change for four (4) specific landscape types: Escarpment slopes; old field/successional woodland; forests, streams and stream valleys; and existing residential development on the west side of Grey Country Road 19.

For Receptor Points 1 and 7 through 10 (external to the lands to be developed at this time), there will be no impact on the viewsheds given that the existing vegetation and elevations will remain unchanged. Receptor Points 2-6 are located within the area proposed to be developed (west portion of the draft plan of subdivision) and view access is analyzed and view impacts are measured (low, medium high). The VIA provides recommendations to mitigate and manage potential impacts at each viewpoint.

Urban Design Report

An Urban Design Report/Architecture & Streetscape Design was prepared by Flanagan, Beresford & Patteson Architects dated April 10, 2015. The purpose of the report is to establish a design direction, provide details of the development and how it relates to the natural environment.

The intent is to use harmonious building elevations, massing, roof forms, materials and colours based on a contemporary North American adoption of Alpine architecture including painted and natural timber elements. Ekarenniondi Street will connect to Grey Road 19 and form a four-way intersection with Birches Boulevard (entrance to the Orchard Community). Dwellings facing Ekarenniondi Street will back onto lanes and therefore there will be no garage doors facing the street. For the dwellings backing onto open space, parks and watercourses, the rear elevations will be upgraded. Dwelling orientations will take advantage of the view of the Craigleith ski hills to the west.

Ekarenniondi Street will have curbs whereas the 7.5 metre private condominium roads will have no curbs. The dwellings will be sited in close proximity to the roads to create an identifiable edge. Private lanes will be overlooked by elevated amenity spaces providing 'eyes on the street'. The existing and fragmented watercourses will be channeled into a meandering creek with improved fish habitat. Two public parks will act as a buffer between the Plater Martin site and the residential lands.

A pool and gym will be located within the planned Recreation Centre to be located directly south of Ekarenniondi Street, immediately east of Grey Road 19. A new pedestrian trail will follow the south side of Ekarenniondi Street and connect to the Georgian Trail to the east and the existing trail to the west in The Orchard. The wet ponds will be landscaped features. Visitor parking spaces are scattered throughout the proposed development to minimize walking distances to groups of dwellings.

The Urban Design Report/Architecture & Streetscape Design addresses main entrance stairs and railings; wall cladding materials and colours; windows; roof and dormers; garage design; model repetition and rear yard/side yard architecture and view terminus lots.

Traffic Impact Study

C. F. Crozier & Associates Inc. prepared a Traffic Impact Study dated December 2013. It was concluded that the traffic generated from the proposed development will not materially affect the operations of the public road system. A southbound left-turn lane at the intersection of Grey Road 19/Birches Boulevard/Ekarenniondi Street may be required by the year 2028.

Phase 1 Environmental Site Assessment (“ESA”)

SLR Consulting (Canada) Ltd. (“SLR”) prepared a Phase I ESA dated November 2, 2010. The assessment identified and documented the current (2010) and historical environmental conditions of the subject lands and the presence of substances which could indicate a potential adverse impact to the air, soil, groundwater or surface waters.

Conestoga-Rovers & Associates (“CRA”) undertook an environmental assessment of the subject lands and presented their findings in a 1999 letter report. Some actual or potential areas of environmental impairment were identified by CRA at that time. First, how liquid chemicals were used and how liquid and solid waste was handled and stored for a former commercial printing company (Bennett Press) within the small stone/concrete block building located on the subject lands (referred to as the site building or barn) in the 1970s was unknown. Second, the chemical composition of the ashes/debris from the wood/brush burning area and the resulting soil quality was unknown. Third, several unlabelled, full, 45-gallon drums were stored on the subject lands and the site building was used as a machine shop in the 1950s (associated with the Blue Mountain Resort.)

In 2010, Mr. George Weider, a representative of Craigleith Developments Limited (former owner of the subject lands) advised SLR that waste materials from the resort were stored on the subject lands, including scrap metal, rubber hoses and tires, derelict ski lift equipment, wood skids, empty water drums, culverts, etc. which was subsequently collected by a waste hauler. Six (6) shipping containers were stored on the subject lands north of the site building. The owner stated that no hazardous material was stored on the subject lands and this was corroborated with information obtained through the preparation of the Phase I ESA by SLR.

Historical research did not provide evidence of underground storage tanks on the subject lands and SLR did not observe any evidence of other underground structures. The SLR site reconnaissance did not identify any full 45 gallon drums on the subject lands, as CRA did in 1999. Therefore, SLR concluded that soil and groundwater quality in the vicinity of the where the drums were stored (as well as shipping containers) is unknown. Given the unknowns, SLR concluded that the historical presence of hazardous waste on the subject

lands was unknown. A portable fueling unit, heating and cooling system, empty glycol drums and used paint cans/drums were observed by SLR in the area surrounding the site building.

SLR did not discover any documentation indicating any groundwater issues. No significant standing water or staining was observed at the time of the site reconnaissance. There were no pits, ponds or lagoons observed. SLR was not initially able to access the site building. It was concluded that the site building was likely on the subject lands since the early 1950s, and the presence of PCBs in any remaining light ballasts or transformers may be possible, as well as lead based paint and/or asbestos-containing materials.

Limited Phase II Environmental Site Review

The following paragraphs are authored by Lisa Tomlinson, B.Sc. M.Sc., Senior Project Manager, SLR.

SLR conducted a Limited Phase II Environmental Site Review and excavation on behalf of the Owner. The investigations were completed in a phased approach to identify and document if any subsurface impacts exist on the property that may be related to the historical use of the site. The work completed was performed in accordance with the principles and practices detailed in the Ontario Regulations 153/04, as amended by O. Reg. 511/09.

Phase II investigations undertaken at the site were completed in three phases as follows:

- Phase 1 - November 2013, fifteen (15) test pits were advanced with soil sample collection in the APECs – seven (7) in the area of the on-site building; four (4) in the area to the north and east of the on-site building; and four (4) in the clearing approximately 500 m east of the main entrance to the site.
- Phase 2 - July 2014, fourteen (14) test pits were advanced with soil sample collection to further delineate the APECS from the November 2013 investigation, as well as four (4) boreholes with three (3) being completed as groundwater monitoring wells.
- Phase 3 - August 2014, five (5) small areas of the site were excavated.

The generic site condition standards presented in the MOE document entitled *Soil, Ground Water and Sediment Standards for Use Under Part XV.1 of the Environmental Protection Act* (MOE, April 2011) were used to assess the significance of the soil and

groundwater quality analyses. The following rationale was used for the selection of the appropriate site condition standards used for this assessment:

- Drinking water wells (private) are not used in this area, drinking water is supplied municipally and therefore the non-potable condition applies.
- Although the property is currently vacant, the future use is residential.
- A portion of the investigative area is within 30 m of a water body due to the creek. Soil samples collected from the site located approximately 500 m west of the road are not within 30 m of a water body.
- A review of the historical borehole logs completed for the site as well as laboratory grain size analysis indicates that the site would be characterized as containing fine to medium textured soils.

Therefore, soil and groundwater analytical results within 30 m of the creek were compared the MOE Table 9 –Generic Site Condition Standards for Use within 30 m of a water body in a Non-Potable Ground Water Condition for Residential/Parkland/Institutional property use, in fine to medium textured soils. Soil and groundwater samples collected further than 30 m of the creek were compared to MOE Table 3 – Full Depth Generic Site Condition Standards in a Non-Potable Groundwater Condition for Residential/Parkland/Institutional property use, in fine to medium textured soils.

Phase II ESA Field Program

Test pit excavation was conducted on November 7, 2013 and July 17, 2014 utilizing a back-hoe excavator supplied and operated by MacPherson Builders.

Twenty-nine test pits were excavated to depths ranging from 0.5 m to 1.5 m. The locations were selected to identify and delineate the potential subsurface contamination on-site due to the historical activities as noted in the Phase I ESA. At least one soil sample was collected from all the test pits. The soil samples were tested for petroleum hydrocarbons and VOCs. Select soil samples were also analyzed for glycols and metals. Six (6) duplicate samples were collected for QA/QC purposes.

Borehole drilling was conducted on July 14, 2014 and July 15, 2014 utilizing a CME 75 truck mounted drill rig equipped with 152 millimetre (mm) diameter hollow stem augers supplied and operated by Lantech Drilling Services Inc.

One (1) borehole was drilled to a depth of 5.9 m bgs (BH1), one (1) borehole was drilled to a depth of 6.7 m bgs (BH2), and two (2) boreholes were drilled to a depth of 9.1 m bgs

(BH3 and BH4). The locations were selected to identify and delineate the potential subsurface contamination on-site due to the historical activities. Two (2) soil samples were selected for analytical analysis from each borehole. The soil samples were tested for petroleum hydrocarbons (PHCs in the fractions F1 to F4 including benzene, toluene, ethyl benzene, and xylene (BTEX) and volatile organic compounds (VOCs). Select samples were also analyzed for metals. One duplicate was also submitted for Quality Assurance and Quality Control purposes.

Monitoring wells were installed at three (3) of the borehole locations (BH1, BH2, and BH3) on July 14, 2014 and July 15, 2014. The groundwater sampling event was performed on July 17, 2014 - BH1 and BH2 had sufficient groundwater for sampling but BH3 was not sampled because the well was dry at the time of the sampling event.

Laboratory Results

Forty-one soil samples (including four duplicates) were submitted from the test pits for the analysis of PHCs (F1 to F4) and VOCs. Select soil samples were also analyzed for metals and glycols. Nine soil samples (including one duplicate) were submitted from the boreholes for the analysis of PHCs (F1 to F4), BTEX, and VOCs and metals.

Soil samples from the borehole locations returned concentrations below the applicable standards. In the test pit locations, all PHC, VOC, metals and glycols concentrations were below the applicable standards with the following exceptions:

- TP5 (from 1.1 to 1.3 mbg) had Table 9 soil exceedances for n-hexane and methylene chloride of 0.071 ug/g and 0.054 ug/g respectively (as compared to the standard of 0.05 ug/g for both parameters).
- TP7 (from 1.2 to 1.5 mbg) had a Table 9 soil exceedance for silver of 1.05 ug/g as compared to the standard of 0.5 ug/g.
- TP10 (from 1.2 to 1.4 mbg) had Table 9 soil exceedances for n-hexane and methylene chloride of 0.268 ug/g and 0.184 ug/g respectively (as compared to the standard of 0.05 ug/g for both parameters).
- TP11 (from 1.2 to 1.5 mbg) had a Table 9 soil exceedance for methylene chloride of 0.055 ug/g as compared to the standard of 0.05 ug/g.
- TP29-1 (from 0.6 to 0.8 mbg) had a Table 3 soil exceedance for 1,1,2,2-tetrachloroethane of 0.052 ug/g as compared to the standard of 0.05 ug/g.

Two groundwater samples were submitted for the analysis of PHCs (F1 to F4), BTEX, and VOCs, and three groundwater samples (including a duplicate) were submitted for the analysis of metals. All groundwater analytical results were below the applicable guidelines.

Excavation Program

Based on the results of the Phase II ESA, five (5) test pit locations returned concentrations of select VOCs and/or metals in the surficial soil. On August 27, 2014, five (5) shallow excavations were completed in the areas of the noted soil exceedances. The soil surrounding each previously completed test pit was excavated where elevated soil concentrations were identified. The depth of the excavation was based on the soil depth at which elevated concentrations existed.

Once each area was excavated, one confirmatory soil sample was collected from each excavation wall (north, south, east and west) and sample from the excavation floor.

A total of 25 soil confirmatory soil samples were collected and results were compared to Table 9 standards. Soil samples were collected from each wall of the excavation as well as the excavation floor. All soil samples were below the Table 9 standards. A TCLP was collected from TP5 for the purposes of soil disposal. All soil was disposed of off-site at the Newalta Landfill in Stoney Creek, Ontario.

Geotechnical Investigation

Terraprobe Inc. prepared a Geotechnical Investigation dated July 4, 2011. The report was prepared to address soil, bedrock and groundwater conditions on the subject lands. Twenty (20) boreholes were advanced to depths of between 1.4 metres and 16.5 metres below existing grade. Coring techniques were later used to deepen three (3) of the boreholes to confirm overburden or bedrock conditions. Standpipes were installed and static water levels were measured on two separate occasions (June and July 2011).

The native soils are primarily sandy silt glacial till, with some clay, and numerous cobbles and boulders are present within dense glacial till. The report states: "Potential groundwater constraints are anticipated for the installation of the proposed services and other excavations depending on the final design depths. Difficult excavation conditions even with large mechanical excavators should be anticipated."

The report provides recommendations for: foundations; basement or concrete slab-on-grade floors; excavations; backfill; pressures on subsurface walls; pipe bedding; pipe restraints; pavement thickness; earthquake design parameters and stormwater management pond geometry/slopes.

It is recommended that basement floors should be constructed at least 0.3 metres above the seasonally high water level. The report states: "Perimeter, filtered, weeping drains must also be installed leading to positive outlets such as a sump pump in the basement. Basement walls must be backfilled either with imported Granular 'B' type backfill or drainage mediums as per the Ontario Building Code." Given the water levels encountered in sandy soils the report states: "Significant volumes of water should be anticipated from the native soils (i.e. Borehole 3) and therefore a Permit to Take Water from the MOE will likely be required for construction works at this site (i.e. more than 50,000 litres per day dewatering)."

The report provides a number of design and construction recommendations for the installation of municipal services, stormwater management facilities, pumping station, internal road and foundations.

Natural Hazard Setback and Slope Stability Report

Terraprobe Inc. prepared a Natural Hazard Setback and Slope Stability Requirements report dated May 16, 2014. The purpose of the report was to determine the soil, rock and groundwater conditions for setbacks along existing slopes and drainage routes and builds upon the results of the Geotechnical Investigation for the subject lands.

On April 28, 2014, a senior soil engineer visited the site and noted no significant active erosion or signs of historical slope instability along the valley slopes. The main Nipissing Ridge was assessed along with five (5) gully systems. The slope heights along the main Nipissing Ridge range between approximately 15 metres and 17 metres from toe to crest. The slope heights for the gully/valley sections range from between 0.5 metres (southwest) to approximately 10 metres to 15 metres (northeast).

Provincial policy requires that development setbacks are based on slope stability, erosion and access.

A detailed analysis of the slope stability was performed using a computerized version of the Bishop method of analysis (SLOPE/W by GEO-SLOPE International Ltd.). The results of field surveys, topographic mapping and the borehole information were used in the slope stability analysis. Six (6) slope cross section were analyzed and the Factor of Safety was calculated. For residential developments, the Ministry of Natural Resources and Forestry Policy Guidelines allow a minimum Factor of Safety of 1.3 to 1.5.

The report states: "Based on this engineering analysis, a slope inclination of 1 to 1 (45 degrees) or flatter is generally required to obtain a minimum Factor of Safety of 1.5. This slope inclination of 1 to 1 (horizontal to vertical) is considered to be the long term stable slope inclination for the site conditions. For a slope height of about 15m, the stable slope

crest position will be about 15m (1 x 15m) measured horizontally from the slope toe. Likewise, for a 5m slope height, the stable slope crest position will be about 5m (1 x 5m). This distance is considered the stable slope allowance or set-back.” Based on the analysis, the crest of the existing slopes are all currently beyond the stable setback condition for stability.

The report also addresses toe erosion allowances and it is concluded that no toe erosion allowance is required for the main Nipissing Ridge slope as there is no water body along or near the ridge toe. It is recommended that the average minimum toe erosion allowance or setback may be used and be measured from the average slope toe position along the gully slopes and the erosion setback is in addition to the stability setback value.

The Ministry suggests an access allowance near slope crests and along one side of a lot, to permit access to slopes for emergency purposes and to carry out stabilization works, if required. Based on the slope heights of 0.5 - 17 metres, Terraprobe recommend an access allowance of 6 metres.

Figure 4 of the report delineates a development setback based on the analysis of slope stability, erosion and access. The development setback line is only located within lots 267 to 278 (6 metres from the rear lot line).

Well Assessment

Terraprobe Inc. prepared a Well Assessment dated March 25, 2015. Terraprobe completed a site visit, a door-to-door well survey and reviewed geologic mapping and well records. Terraprobe selected and reviewed twelve (12) MOECC well records. Existing private wells draw water from either a series of unconfined/confined sand and gravel aquifers or limestone/shale bedrock aquifers. Most local wells are small diameter drilled wells generally completed to depths greater than 8 metres.

On March 5, 2015, an environmental technician from Terraprobe visited twenty-eight (28) residences along County Road 19, Helen Street, Venture Boulevard, Craigmore Crescent, Tyrolean Lane and Birch View Trail (all within approximately 300 metres of the subject lands) and information was obtained regarding water supplies. It was determined that the majority of the surrounding residences are connected to municipal water. Therefore, the majority of the well records reviewed are no longer applicable.

CONCLUSIONS

The subject lands, referred to as the Home Farm, have been subject to considerable study over the past five (5) years, including archaeological assessments, environmental data collection and the preparation of an EIS and other technical studies related to soils,

groundwater and slopes. The ravines associated with the Nipissing Ridge will be retained in the *Hazard Lands* land use designation and zoning, and blocks of land have been established to provide for public and private parkland/open space and recreational activities for residents of the Town and residents of the proposed development.

The residential component of the draft plan of subdivision consists of 277 freehold residential lots tied to a common elements condominium(s). The development will consist of 85 single detached units, 60 semi-detached units and 132 townhouse units. A new 20 metre wide public road is proposed (Ekarenniondi Street) and will provide access to a number of private condominium roads, the new sanitary pumping station and the Plater-Martin registered archaeological site. Dwellings facing Ekarenniondi Street gain access from rear laneways (no garages facing the street). Ekarenniondi Street aligns with Birches Boulevard to the west, being the main entrance to “The Orchard”.

The subject lands are designated Escarpment Recreation Area (“ERA”) in the NEP and this designation recognizes existing or potential recreational development associated with the Niagara Escarpment and allows both seasonal and permanent residences. The Town and County Official Plans also permit residential/recreational development. The OPA is required to permit a higher density than currently permitted in the TBMOP in effect and the new OP.

Proposed development on lands designated *Residential Recreational Area* must provide generous amounts of open space to facilitate recreational opportunities and to maintain the resort, open landscape character of the area. Development must also be clustered, compact in nature, and interspersed with open space areas. The proposed Home Farm development provides a compact, clustered form of development with generous amounts of open space, located throughout. The new Town OP permits a maximum density of 10 units per net hectare and a minimum open space component of 40%. At this density, 213 units are permitted whereas 277 are proposed. To achieve the 277 dwelling units, a density of 13 units per net hectare is required. The OP allows for a density increase to a maximum of 15 units per net hectare provided a number of policies are addressed to the Town’s satisfaction. In our opinion, and as addressed above, the Town’s policies to allow for an increase in density have been met.

The Official Plan and Zoning By-law Amendments and the Draft Plan of Subdivision proposed by the Owner represent good planning and should be approved for the following reasons:

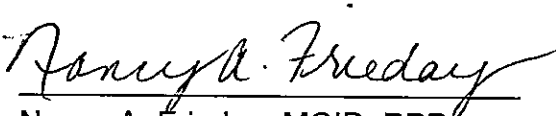
1. The proposed Home Farm development conforms to the purpose, objectives and policies of the *Escarpment Recreation Area* (“ERA”) designation in the Niagara Escarpment Plan as well as the detailed Development Criteria found in Part II of

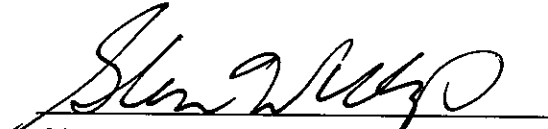
the Niagara Escarpment Plan. The subject lands can support the proposed development without a negative impact on Escarpment environmental features such as contours, water quality, water quantity, natural vegetation, soil, wildlife, population, visual attractiveness and cultural heritage features.

2. The proposed Home Farm development is consistent with the 2014 Provincial Policy Statement. Detailed natural heritage reviews and fieldwork were undertaken and an Environmental Impact Study (“EIS”) was prepared. There are no Provincially Significant Wetlands (“PSWs”), Areas of Natural or Scientific Interest (“ANSIs”) or Significant Natural Heritage Features (“SNHFs”) on the subject lands. There are also no rare or uncommon vegetation units. No fish Species at Risk were identified within the streams or ravines on the subject lands.
3. The proposed Home Farm development conforms to the *Recreational Resort Area* designation and policies in the Grey County Official Plan. The *Recreational Resort Area* designation applies to defined areas wherein development with specific recreational amenities are anticipated, as well as dwelling units on full municipal services.
4. The current Official Plan for the Town states that the residential density is not to exceed 2.5 units per hectare for lands designated *Recreational Residential* (RR-50) with the provision to provide for up to a maximum of 5 units per hectare, subject to the Owner providing additional recreational lands and/or facilities. An amendment to the Official Plan is required to facilitate the approval of a draft plan of subdivision and Zoning By-law amendment that permits a maximum of 277 dwelling units. The density bonus provisions in the Official Plan are satisfied.
5. The new Official Plan for the Town permits a density of 10 units per net hectare and the Home Farm development is proposed at approximately 13 units per net hectare. The provision of public lands through the dedication of blocks within the draft plan of subdivision, including the Plater-Martin registered archeological site for a Cultural Heritage Community Park, satisfies the Official Plan policies which provide for an increase to a maximum of 15 units per net hectare.
6. The Environmental Impact Study (“EIS”), which includes a thorough review of natural heritage features, endangered and threatened species and fish habitat does not raise any issues of concern.
7. Traffic, urban design, visual impact, slope stability, archaeology, built and cultural heritage, hazard lands, servicing, grading and drainage have all been satisfactorily addressed in detailed technical reports submitted with the applications.

8. Drafts of the Official Plan and Zoning By-law Amendments, required to facilitate the proposed development, have been provided with the applications and in our opinion they are both desirable and appropriate for the subject lands. The Draft Plan of Subdivision provides for an appropriate mix of lots and housing types as well as open space, parkland and infrastructure needed to support the proposed Home Farm recreational residential development.

Respectfully submitted,
WELLINGS PLANNING CONSULTANTS INC.


Nancy A. Frieday, MCIP, RPP


Glenn J. Wellings, MCIP, RPP

DRAFT

The Town of The Blue Mountains Official Plan

Amendment No. XX

“Home Farm”

PART A – THE PREAMBLE

1. Location:

The lands subject to this Amendment are located within Part of Lot 20, Concession 2, Town of The Blue Mountains (formerly Township of Collingwood) and are located in the area bounded by Grey Road 19 to the west, residential development on the east side of Grey Road 19, to the south, residential development on the north side of Tyrolean Lane and proposed residential development to the north-east (Eden Oak – Blue Trails), all as shown on Schedule “A-XX”.

2. Purpose:

The purpose of this Amendment is to re-designate the subject lands from Recreational Residential (RR) Exception 50, Recreational Infilling (RI), Institutional (I) and Hazard (H) to Recreational Residential (RR) Exception 58, Public Open Space (P) and Hazard (H). This Amendment proposes minor revisions to the boundaries of the lands to remain designated Recreational Residential (RR) Exception 50 and Recreational Residential (RR) being the eastern portion of the subject lands, to be developed at a future date.

3. Objectives:

The objectives of this Amendment are:

- a) provide a land use framework to achieve efficient development and land use patterns;
- b) provide for an appropriate range of housing types and densities required to meet projected requirements of current and future residents;
- c) provide public spaces, parks and open space that promote healthy, active life styles;
- d) protect, conserve and enhance natural heritage resources;
- e) provide for an appropriate land use framework that directs development away from areas containing hazards;

- f) provide for a land use framework that permits a maximum number of residential dwellings (277) comprised of single detached, semi-detached and multiple attached dwellings; and,
- g) enhance the quality of life for current and future residents of the Town.

4. **Basis:**

The basis is to provide a comprehensive policy and implementation strategy for the proposed fully serviced residential and open space development. The basis for this Amendment is as follows:

- a) The policies detailed in this Amendment are in accordance with and consistent with the Provincial Policy Statement (2014), the Niagara Escarpment Plan, the County of Grey Official Plan and the Town of The Blue Mountains Official Plan;
- b) The proposed Amendment will protect, preserve and enhance natural heritage resources;
- c) The proposed Amendment will increase the connectivity within the local area and to the broader community through the use of an integrated open space and walkway/bicycle trail system; and,
- d) The proposed Amendment will implement the policies of the Town of The Blue Mountains Official Plan related to low density uses, open space, protection of natural heritage features and functions, buffer strips along County Road 19, pedestrian access routes, dedication of land for park purposes and the dedication of land for a Community Heritage Park.

Development permitted by this Amendment is subject to all necessary approvals under the *Planning Act*. Phasing of the development, required works and other matters will be determined through one or more agreements with the Town.

PART B – THE AMENDMENT

The Town of The Blue Mountains Official Plan is hereby amended as follows:

1. Schedule ‘A’ – Land Use Plan

Schedule ‘A’ – Land Use Plan is hereby amended by re-designating the subject lands from the Recreational Residential (RR) Exception 50, Recreational Residential (RR), Institutional (I), Residential Infilling (RI) and Hazard (H) designations to the Recreational Residential (RR) Exception 58, Public Open Space (P) and Hazard (H) designations, all as set out on Schedule “A-XX”. This Amendment proposes minor revisions to the boundaries of the lands to remain designated Recreational Residential (RR) Exception 50 and Recreational Residential (RR) being the eastern portion of the subject lands, to be developed at a future date.

2. Schedule ‘B’ – Maximum Unit Yields

(a) Schedule ‘B’ – Maximum Unit Yields is hereby amended as follows:

- i. Service District 1 – Craigleith, Schedule ‘B’ – Maximum Unit Yield Table is hereby amended by deleting the related Official Plan Designation, Area Designated (ha) and Maximum Unit Yield for Parcels A17a, A17b and A17c and by replacing and inserting thereto the following:

Property	Official Plan Designation	Area Designated (ha)	Maximum Unit Yield
A17a	RR-58	---	277
A17b	RR-50	0.9 ha	5
A17c	RR-50/RR	11.4 ha	57

- (b) Schedule ‘B’ Map – the configuration of properties A17a, A17b and A17c are hereby re-configured as shown on Schedule “B-XX”.

3. Section 13, Subsection 58 (Home Farm)

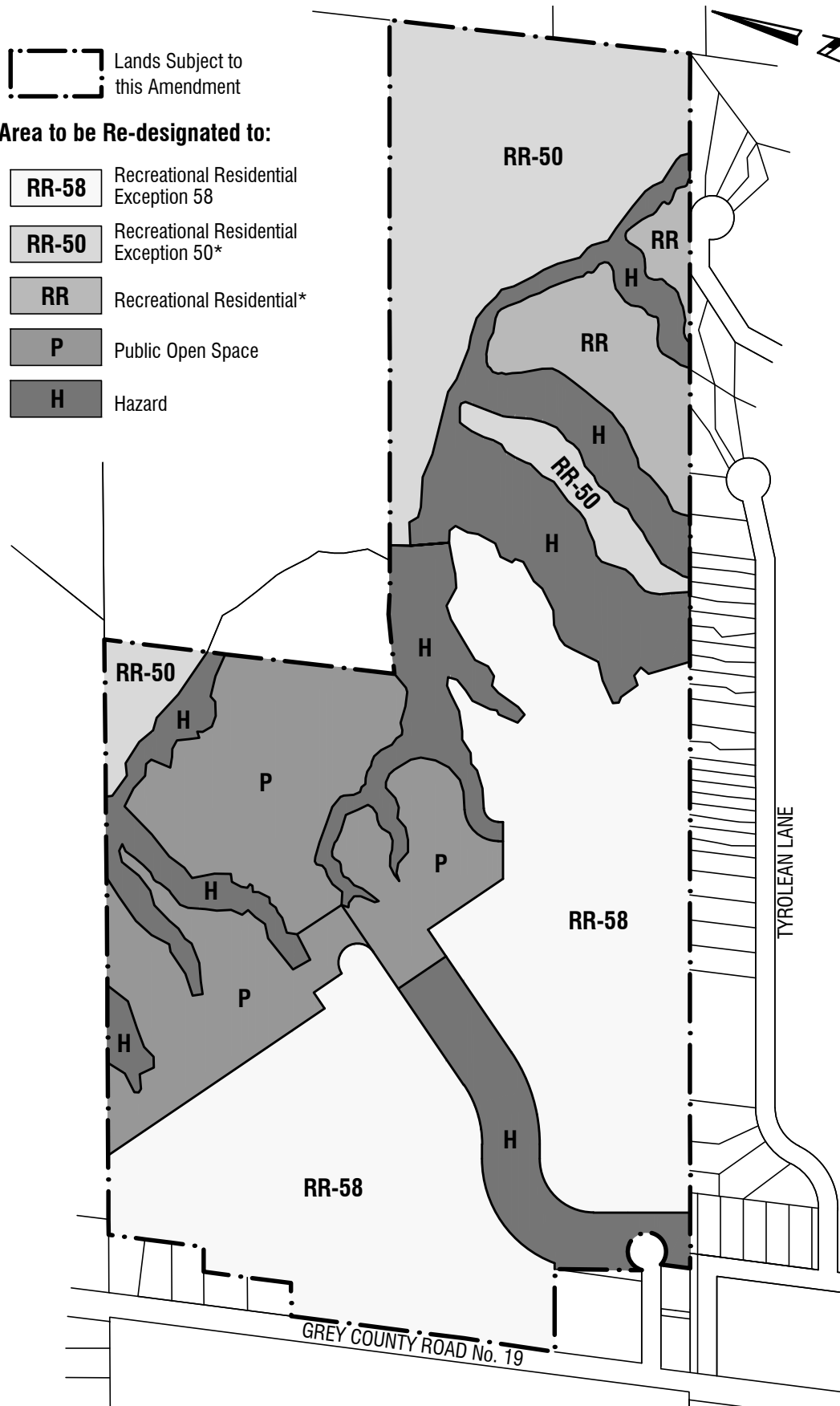
(a) Section 13 is hereby amended by adding a new Subsection 58 as follows:

58. Schedule “A” – Map 4 (Lot 20, Concession 2 – Home Farm)

- a) Notwithstanding Section 4.11 Recreational Residential (RR) of this Plan, residential development shall be limited to single detached residential dwellings, semi-detached dwellings and townhouse dwellings; the maximum number of units shall be limited to 277; and a non-commercial and private neighbourhood recreation centre is permitted on lands designated RR-58.

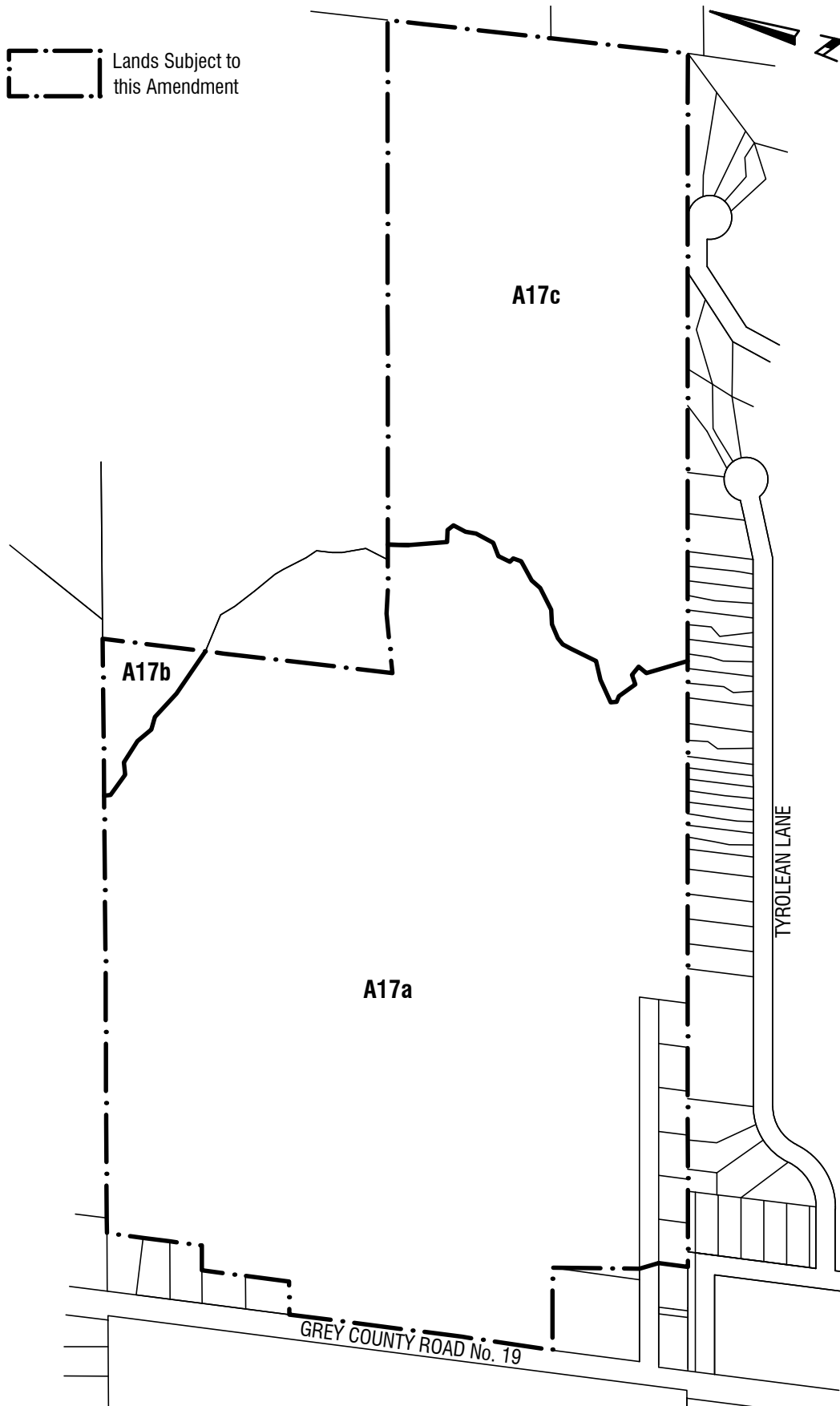
- b) Approximately 4.74 hectares of land will be conveyed to the Town, in accordance with the policies of this Plan, and these lands shall be used as part of the Craigleith Heritage Park (Plater-Martin Site) given that the lands are rich in Aboriginal archaeological, cultural and historical significance.
- c) Approximately 5.8 hectares of land will be conveyed to the Town for public parkland in accordance with the *Planning Act*.
- d) The conveyance of lands for the Craigleith Heritage Park and for public parkland shall constitute full satisfaction of the Owner's obligations under Section 51.1 and/or Section 42 of the *Planning Act* to convey land (or pay cash-in-lieu thereof) to the Town for park or other recreational purposes, as well as full satisfaction of the Bonus Density Policies, the Bonus Zoning Policies and the General Exception Policies.
- e) The Town of The Blue Mountains shall convey Town Lands required for development purposes to the Owner.
- f) The condition of draft plan approval for the subject lands will require the Owner to enter into a Master Development Agreement with the Town.
- g) These lands are to be developed as a sustainable integrated neighbourhood, on full municipal services, with a focus on protecting, conserving and enhancing natural heritage features, open space and trail connectivity within and external to the neighbourhood and creating an urban environment that provides for a safe, functional and attractive residential neighbourhood.
- h) Land designated Hazard (H) includes lands which contain Natural Heritage and Natural Hazard features and therefore are subject to the policies of Section 4.3 - Hazards Lands and Section 8 – Natural Heritage and Development Constraint of this Plan.
- i) The principles of urban design influence the physical design and layout of a community. It is an important planning tool that will be used to help achieve the identity and character of this community, enhance the quality of life, and promote a greater economic vitality through the efficient use of resourced. Good urban design, both in the public and private realm, is required.

Draft Schedule "A-XX" Amendment No. XX Town of The Blue Mountains Official Plan



*Note: Lands designated RR-50 and RR are currently designated RR-50 and RR. This amendment proposes minor revisions to the boundaries of these designations.

**Draft
Schedule "B-XX"
Amendment No. XX
Town of The Blue Mountains Official Plan**



DRAFT

THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS

BY-LAW NO. 2015-_____

Being a By-law to Amend Zoning By-law No. 83-40, as amended, cited as

“The Zoning By-law of the Township of Collingwood”

WHEREAS pursuant to the provisions of Sections 34 and 36 of the *Planning Act*, the By-law may be amended by the Council of the Municipality;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS ENACTS AS FOLLOWS:

1. Map_____ of Schedule “A” of the Zoning By-law of the Township of Collingwood, being By-law 83-40, as amended, is hereby further amended by rezoning the lands lying and being in the Town of The Blue Mountains, comprised of Part Lot 20, Concession 2, and as outlined in broken line as shown on Key Map Schedule “A-1” from the Deferred Development (DD) Zone and the Hazard (H) Zone to Residential Second Density (R2-xxx-h) Zone, the Residential Third Density (R3-xxx-h) Zone, the Residential Fourth Density (R4-xxx-h) Zone, the Residential Sixth Density (R6-xxx-h) Zone, the Private Open Space (OS2-h) Zone, the Public Open Space (OS1-h) Zone, the Private Recreational (PREC-xxx-h) Zone and the Hazard (H) Zone in the manner shown on the attached Schedule “A-1”.
2. Section 32 of the Township of Collingwood Zoning By-law, being By-law 83-40, as amended, is hereby further amended by adding the following exceptions:

XXX: Notwithstanding any other provisions of By-law No. 83-40 to the contrary, a private road established under a Common Element Condominium in accordance with the *Condominium Act*, 1998, S.O 1998 shall be deemed to meet the requirements for direct frontage and access to an improved public street under Section 5.8 of the By-law. Further, these lands shall be developed in accordance with the Residential R2 Zone provisions, save and except for the following:

 - a) the minimum front yard setback shall be 6.0 metres where an attached private garage is provided;
 - b) the minimum setback from the centreline of the road allowance requirement shall not apply;

- c) the minimum interior side yard setback shall be 1.5 metres;
- d) the minimum exterior side yard setback shall be 3.75 metres to a main dwelling and 6.0 metres to a garage;
- e) the maximum height shall be 2 storeys up to a maximum height of 11.0 metres;
- f) the maximum lot coverage shall be 40%;
- g) one and two storey covered or uncovered porches and decks with or without foundations and or cold cellars may encroach up to 1.8 metres into a required front yard and up to 2.4 metres into a required rear yard and shall be excluded from the calculation of lot coverage.

In accordance with Section 36 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, the holding symbol "h" shall not be removed from the land zoned Residential R2-XXX until such time as the following:

- i) Execution of a Subdivision/Condominium that includes the allocation of services;
- ii) Satisfying the requirements of the Grey Sauble Conservation Authority with regard to the relocation of the streams.

XXX: Notwithstanding any other provisions of By-law No. 83-40 to the contrary, a private road established under a Common Element Condominium in accordance with the *Condominium Act*, 1998, S.O 1998 shall be deemed to meet the requirements for direct frontage and access to an improved public street under Section 5.8 of the By-law. Further, these lands shall be developed in accordance with the Residential R3 Zone provisions, save and except for the following:

- a) the minimum front yard setback shall be 6.0 metres where an attached private garage is provided;
- b) the minimum setback from the centreline of the road allowance requirement shall not apply;
- c) the minimum interior side yard setback shall be 1.5 metres;
- d) the minimum exterior side yard setback shall be 3.75 metres to a main dwelling and 6.0 metres to a garage;
- e) the maximum height shall be 2 storeys up to a maximum height of 11.0 metres;
- f) the maximum lot coverage shall be 40%;

- g) one and two storey covered or uncovered porches and decks with or without foundations and or cold cellars may encroach up to 1.8 metres into a required front yard and up to 2.4 metres into a required rear yard and shall be excluded from the calculation of lot coverage.

In accordance with Section 36 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, the holding symbol “h” shall not be removed from the land zoned Residential R3-XXX until such time as the following:

- i) Execution of a Subdivision/Condominium that includes the allocation of services;
- ii) Satisfying the requirements of the Grey Sauble Conservation Authority with regard to the relocation of the streams.

XXX: Notwithstanding any other provisions of By-law No. 83-40 to the contrary, a private road established under a Common Element Condominium in accordance with the *Condominium Act*, 1998, S.O 1998 shall be deemed to meet the requirements for direct frontage and access to an improved public street under Section 5.8 of the By-law. Further, these lands shall be developed in accordance with the Residential R4 Zone provisions, save and except for the following:

- a) the minimum front yard setback shall be 6.0 metres where an attached private garage is provided;
- b) the minimum setback from the centreline of the road allowance requirement shall not apply;
- c) the minimum interior side yard setback shall be 1.5 metres between adjacent buildings (non-exterior side yard);
- d) the minimum exterior side yard setback shall be 3.75 metres to a main dwelling and 6.0 metres to a garage;
- e) the maximum height shall be 2 storeys up to a maximum height of 11.0 metres;
- f) the maximum lot coverage shall be 50%;
- g) one and two storey covered or uncovered porches and decks with or without foundations and or cold cellars may encroach up to 1.8 metres into a required front yard and up to 2.4 metres into a required rear yard and shall be excluded from the calculation of lot coverage.

In accordance with Section 36 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, the holding symbol “h” shall not be removed from the land zoned Residential R4-XXX until such time as the following:

- i) Execution of a Subdivision/Condominium that includes the allocation of services;
- ii) Satisfying the requirements of the Grey Sauble Conservation Authority with regard to the relocation of the streams.

XXX: Notwithstanding any other provisions of By-law No. 83-40 to the contrary, a private road established under a Common Element Condominium in accordance with the *Condominium Act*, 1998, S.O 1998 shall be deemed to meet the requirements for direct frontage and access to an improved public street under Section 5.8 of the By-law. Further, these lands shall be developed in accordance with the Residential R6 Zone provisions, save and except for the following:

- a) the minimum front yard setback shall be 6.0 metres where an attached private garage is provided;
- b) the minimum setback from the centreline of the road allowance requirement shall not apply;
- c) the minimum interior side yard setback shall be 1.5 metres between adjacent buildings (non-exterior side yard);
- d) the minimum exterior side yard setback shall be 3.75 metres to a main dwelling and 6.0 metres to a garage;
- e) the maximum height shall be 2 storeys up to a maximum height of 11.0 metres;
- f) the maximum lot coverage shall be 50%;
- g) one and two storey covered or uncovered porches and decks with or without foundations and or cold cellars may encroach up to 1.8 metres into a required front yard and up to 2.4 metres into a required rear yard and shall be excluded from the calculation of lot coverage.

In accordance with Section 36 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, the holding symbol "h" shall not be removed from the land zoned Residential R6-XXX until such time as the following:

- i) Execution of a Subdivision/Condominium that includes the allocation of services;
- ii) Satisfying the requirements of the Grey Sauble Conservation Authority with regard to the relocation of the streams.

XXX: Notwithstanding any other provisions of By-law No. 83-40 to the contrary, these lands may be used for outdoor recreational uses including buildings with a maximum ground floor area of 500 square metres.

In accordance with Section 36 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, the holding symbol “h” shall not be removed from the Private Recreational PREC-XXX until such time as a Site Plan Agreement has been entered into in accordance with Section 41 of the *Planning Act*.

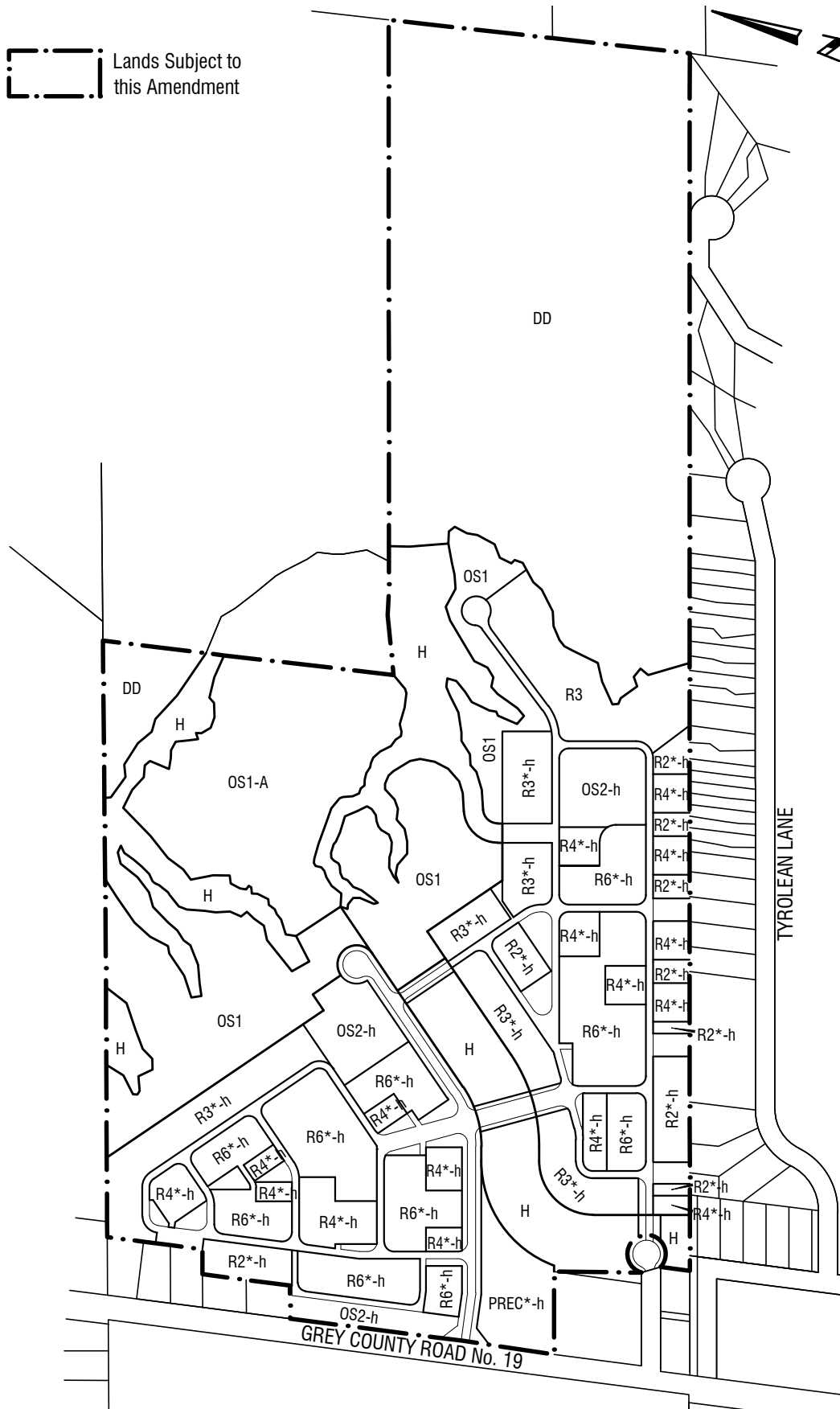
3. Notwithstanding Subsection 3 above, three (3) Model Homes plus one (1) townhouse block without services may be constructed in any Phase or Sub-Phase in advance of the removal of the Holding ‘h’ Symbol provided that the owner enters into a Model Home Agreement with the Corporation of the Town of The Blue Mountains.
4. This By-law shall come into full effect upon the date of approval of the Town of The Blue Mountains Official Plan Amendment No. XX.
5. Schedule “A-1” is hereby declared to form part of this By-law.

ENACTED AND PASSED THIS _____ DAY OF _____, 2015

Mayor

Clerk

Draft Zoning Schedule "A-1" By-Law No. _____ Town of The Blue Mountains



*Note: Exception to Regulations Required.