

To:	Warden Milne and Members of Grey County Council
Committee Date:	April 25, 2024
Subject / Report No:	Lora Bay Phase 4B / PDR-CW-09-24
Title:	Final Report for Subdivision 42T-2022-06
Prepared by:	Scott Taylor
Reviewed by:	Randy Scherzer
Lower Tier(s) Affected:	Town of The Blue Mountains
Status:	

Recommendation

1. That Report PDR-CW-09-24 be received; and
2. That all written and oral submissions received on plan of subdivision application 42T-2022-06, known as Lora Bay Phase 4B, were considered; the effect of which helped to make an informed recommendation and decision; and
3. That in consideration of draft plan of subdivision application 42T-2022-06, for lands legally described as Part of Block 1, Registered Plan 16M-8, geographic Township of Collingwood, now in the Town of The Blue Mountains, the Grey County Committee of the Whole approves the plan of subdivision to create a total of forty-five (45) single detached dwellings and thirteen (13) rowhouses, as well as blocks for open space/parks, and public streets, subject to the conditions set out in the Notice of Decision.

Executive Summary

The County received and processed draft plan of subdivision application 42T-2022-06, known as Lora Bay Phase 4B. The proposed development consists of 45 single detached dwellings and 13 rowhouses, in addition to a new public road system, and two parks. The new public road network will connect to West Ridge Drive. Municipal water and sewer services are proposed to service this development. This subdivision is a phase in the broader Lora Bay development.

A concurrent zoning by-law amendment application has also recently been approved by the Town of The Blue Mountains for this proposed development.

The subject lands are designated 'Recreational Resort Settlement Area' on Schedule A of the County Official Plan. Various technical reports were prepared as part of the application submission package. The application and supporting studies were circulated to prescribed agencies and the public for comment. A public meeting was held on October 31, 2023.

It is recommended that the proposed plan of subdivision be granted draft approval subject to the draft plan conditions attached to this report.

Background and Discussion

The proposed plan of subdivision, known as Lora Bay Phase 4B, will create 45 single detached dwellings and 13 rowhouses, in addition to new parks and roads. This development will be serviced via municipal water and sewer services. The new road network will connect to West Ridge Drive.

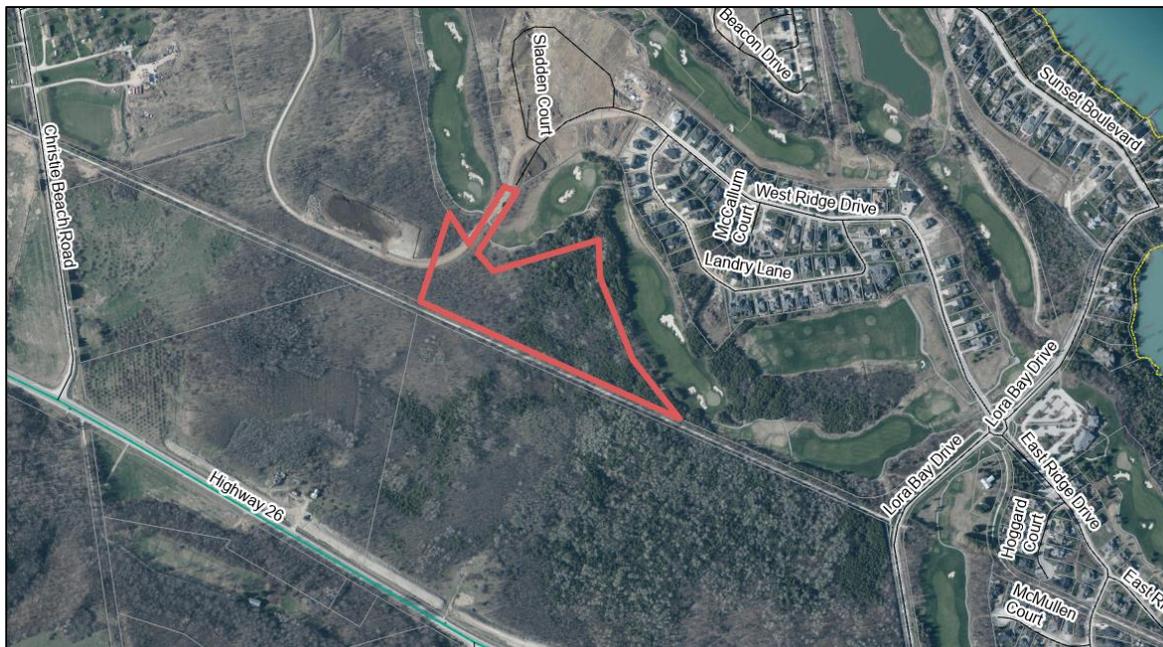
The subject lands are approximately 6.35 hectares in size and located in the Lora Bay development, which is west of Thornbury, and east of the Municipality of Meaford. Phase 4B is north of Highway 26 and the Georgian Trail, between Christie Beach Road and Lora Bay Drive. Surrounding land uses include the golf course, existing residential development, and future phases of Lora Bay. The lands are legally described as Part of Block 1, Registered Plan 16M-8, geographic Township of Collingwood, now in the Town of The Blue Mountains.

The proposed development also required a zoning by-law amendment, which has recently been approved by the Town of The Blue Mountains. There were no appeals on the zoning amendment, and therefore the revised zoning is now in force and effect.

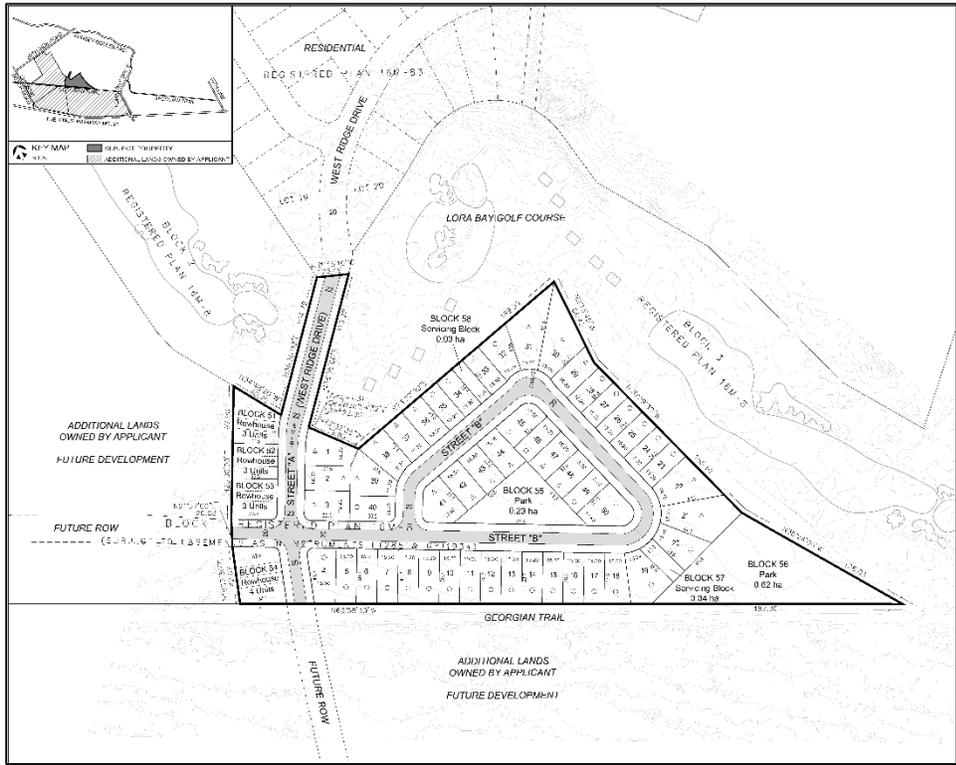
The subject lands are designated as 'Recreational Resort Settlement Area' on schedule A to the County Official Plan. The County Plan does not map any constraints on the subject lands.

Pre-submission consultation between the developer, the Town, and the County identified the submission requirements for the proposed plan of subdivision. All reports and plans submitted in support of the subject applications can be found here on the [County of Grey website](#).

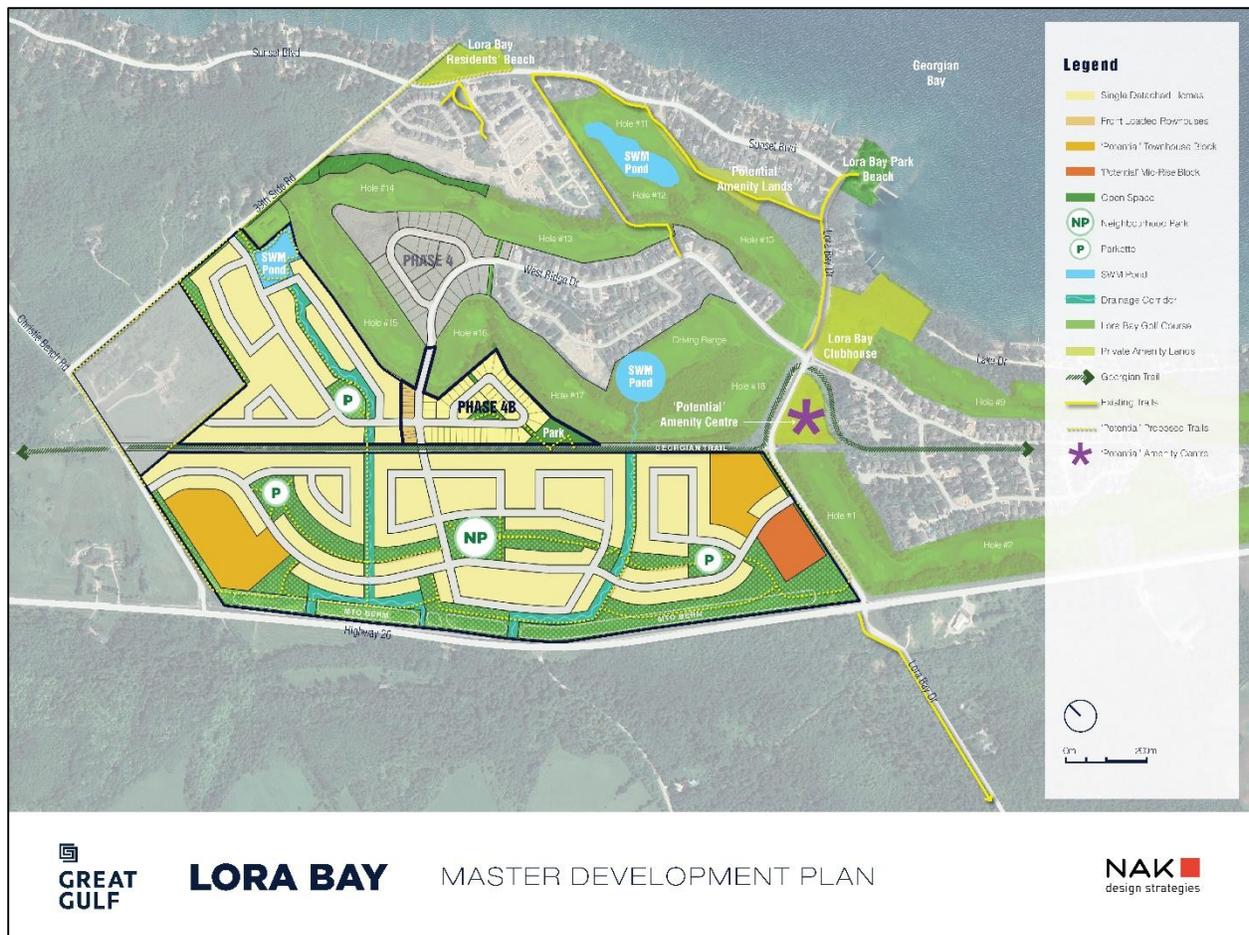
Map 1 below shows the subject lands outlined in red. Map 2 shows the Lora Bay Phase 4B draft plan of subdivision, while Map 3 shows a concept plan for the full Lora Bay development.



Map 1: Airphoto of Subject Lands



Map 2: Proposed Draft Plan of Subdivision (Courtesy of Korsiak Urban Planning)



Map 3: Lora Bay Updated Master Concept Plan (Map 3 Courtesy of Great Gulf Group of Companies)

Public and Agency Comments Received

There were members of the public that made written submissions, and oral submissions at the public meeting on October 31, 2023. A link to the minutes from the public meeting can be found in the Attachments section of this report.

The following people made comments on the proposed development either in writing or at the public meeting:

- 1) Brent Scobie,
- 2) Laurie and John Thorne,
- 3) Betty Muise, Tree Trust TBM, and
- 4) Heather Young.

Agency comments were received from the following:

- 5) Enbridge Gas,
- 6) Bell Canada,
- 7) Hydro One,

- 8) Grey Sauble Conservation Authority (GSCA),
- 9) Grey County, and
- 10) Town of The Blue Mountains – A copy of the Town staff report can be found in the Attachments section of this report. The Town report, which was supported by Town Council, recommended conditions of draft plan approval, which have informed the recommendations in this County staff report.

In addition to the comments received directly by the Town and County, the developer also shared comments received by the Ministry of Citizenship and Multiculturalism (MCM) and the Saugeen Ojibway Nation (SON).

Town staff included a comment summary and response table as Attachment 3 to their staff report. That table covered off the public and agency comments with the exceptions of item (8) as well as the MCM and SON comments. For the sake of brevity, County staff will not recreate that table or analysis here, but rather will defer to the Town's staff report. What follows below are summaries of the GSCA, MCM, and SON comments.

In correspondence dated December 5, 2023, GSCA noted no objections with the proposed development and provided recommended conditions of draft plan approval.

In correspondence dated September 11, 2023, MCM noted the following:

“Based on the information contained in the report, the ministry is satisfied that the fieldwork and reporting for the archaeological assessment are consistent with the ministry's 2011 Standards and Guidelines for Consultant Archaeologists and the terms and conditions for archaeological licences. This report has been entered into the Ontario Public Register of Archaeological Reports. Please note that the ministry makes no representation or warranty as to the completeness, accuracy or quality of reports in the register.”

In correspondence dated June 1, 2023, SON noted the following:

“I can confirm SON Archaeology is satisfied the area is low potential and will cautiously accept the recommendations within the past assessment, and that no further work is required for that portion/phase of the development.”

Analysis of Planning Issues

When rendering a land use planning decision, planning authorities must have regard to matters of provincial interest under the *Planning Act*, be consistent with the Provincial Policy Statement (PPS), and conform to any provincial plans or official plans that govern the subject lands. In this case, the County of Grey Official Plan and the Town of The Blue Mountains Official Plan have jurisdiction over the subject property. The subject lands are located outside of the Niagara Escarpment Plan area and therefore the policies of the Niagara Escarpment Plan do not apply.

Provincial Policy and Legislation

Both the *Planning Act* and the PPS speak to the efficient use of land within settlement areas. The proposed plan of subdivision is within an existing settlement area and will be serviced with municipal water and sewer services. The density of the proposed development meets the

density policies in the Town of The Blue Mountains Official Plan. The County does not have prescriptive density policies for the Recreational Resort Settlement Area designation.

The supply of an adequate range and distribution of residential housing types is required in both provincial documents. In this case, the proposed plan of subdivision is proposing single detached and rowhouse residential units. Based on the Town's maximum density policies for this area, lower density dwelling types are the predominant form of housing.

The PPS discourages development within hazard lands. The application and supporting documents were reviewed by the GSCA who have recommended conditions of draft approval, which have been incorporated in the attached notice of decision. GSCA staff have noted that there are no natural hazards on the subject lands.

The protection of significant environmental features is also required through the legislation and policy. An Environmental Impact Study (EIS) and addenda submissions were submitted with the proposed application, examining the potential for impacts on the natural environment. The EIS and addenda submissions were reviewed by Town/County staff. The recommended draft plan conditions require a Tree Inventory and Preservation Plan, planting strips backing onto the Georgian Trail, as well as implementing the recommendations of the EIS. Based on the feedback from the County's Planning Ecologist, and recommended conditions of draft approval; staff are satisfied that provincial, County, and Town environmental policies have been addressed.

Section 51(24) of the *Planning Act* also provides criteria which must be considered when assessing any plan of subdivision. These criteria (in italics), along with staff analysis are as follows:

(a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;

The matters of provincial interest have generally been analyzed earlier on in this section.

(b) whether the proposed subdivision is premature or in the public interest;

Municipal services will be provided to this subdivision. The lands have also been designated for growth in both the County and Town Official Plans. Furthermore, there is a demand for more residential units in the Town. As such, the proposed plan of subdivision is not premature, and is in the public interest.

(c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;

The proposed development conforms to both the Town and County Official Plans. Phase 4B is a continuation of the Lora Bay development which is a master-planned community, as covered by the Master Development Agreement (MDA) between the developer and the Town. This phase will be compatible with the neighbouring residential and golf course lands which were developed through earlier phases of Lora Bay. There are treed buffers between the newly proposed dwellings and the golf course lands.

(d) the suitability of the land for the purposes for which it is to be subdivided;

(d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;

Based on the background reports and technical studies, the subject lands are suitable for residential development. The proposed units will not be affordable, as defined by the PPS or County Official Plan. This area of the Town is not the best suited for affordable housing, given the lack of other complete community attributes, and the limits on development density that apply to these lands.

(e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;

This subdivision will gain access off a new municipal street which will connect to West Ridge Drive. Draft plan condition # 20 also requires the following:

“That a suitable temporary construction access road is provided to direct development construction activity away from West Ridge Drive/Street ‘A’ as appropriate. This temporary access is to be constructed to the satisfaction of the Town. This temporary access road will also serve the purpose of providing secondary emergency access to the development. The Subdivision Agreement will provide for the timing of the closure and decommissioning of this temporary road access.”

(f) the dimensions and shapes of the proposed lots;

The lot sizes are an adequate size and most of the lot shapes are standard. As noted, a zoning amendment has been passed which supports the lots sizes and layout.

(g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;

County staff are not aware of any restrictions or proposed restrictions on the subject lands that would prevent the proposed development other than what has previously been noted in the report.

(h) conservation of natural resources and flood control;

GSCA staff have provided recommended conditions of draft plan approval and noted there are no natural hazards on-site. A detailed stormwater management plan is required by draft plan condition # 16.

(i) the adequacy of utilities and municipal services;

The proposed lands can be adequately serviced, and there are draft plan conditions which speak to reservation of servicing and when servicing capacity will be allocated.

(j) the adequacy of school sites;

The school boards were circulated on this application and did not raise any concerns.

(k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;

Blocks 50 and 51 will be dedicated to the Town for parkland purposes. Blocks 52 and 53 are being used for access and servicing purposes.

(l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and

In accordance with the Town Official Plan, the lands are proposed to be developed below a maximum density, which is deemed compatible with neighbouring land uses. The lands will connect to the existing road network (i.e., West Ridge Drive) and be serviced with municipal services.

(m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006.

The proposed single detached lots and rowhouses do not require the utilization of site plan control.

County of Grey Official Plan 2019

This proposed plan of subdivision is located on lands designated as 'Recreational Resort Settlement Area' in the County Official Plan. The Recreational Resort Settlement Area policies are identified as locations in which to focus new residential and recreational growth in the County. Section 3.8 of the County Plan contains the policies for the Recreational Resort Settlement Area, but these policies largely defer to the Town Official Plan policies. This proposed residential development is adjacent to the Lora Bay golf course and the Georgian Trail, both of which comprise sources of outdoor recreational activity in the area.

Section 4.2(e) of the current County Plan states the following:

"The goal of providing housing opportunities to moderate and lower income households. The County would like to achieve a minimum target of 30% of new housing, or units created by conversion, to be affordable in each local municipality. Local municipalities are encouraged to have regard for the Grey County Housing and Homelessness Plan (2014-2024) when setting targets in their local official plan. Local municipalities will be encouraged to set a minimum target similar to the County for affordable units."

As noted earlier in this report, the proposed housing is not anticipated to be affordable in the context of provincial or County definitions of affordability. County staff would further note that the current County Plan target is not applied on a development-by-development basis.

There are no mapped natural heritage features on the subject lands. That said, the subject lands are currently primarily treed. As noted earlier in the report, there are requirements for a Tree Inventory and Preservation Plan as part of the recommended draft plan conditions. The EIS recommendations have also been incorporated into the draft plan conditions.

The County Plan also requires the protection of cultural and archaeological resources. A Stage 1 – 2 Archaeological Assessment was conducted for this development. The Archaeological Assessment concluded that no further archaeological assessment of the study area is warranted. Wording has been included in the draft plan conditions, should any previously unknown or unassessed deeply buried archaeological resources be uncovered during development. Staff would further note that draft plan condition # 44 speaks to ensuring that the

Saugeen Ojibway Nation's standards for Archaeological Assessments have been met. SON has provided comments on the Archaeological Assessment submitted with this application.

Section 8.9 of the County Plan provides a similar servicing hierarchy to that found in the PPS, which has been noted above. Elsewhere in section 8 of the Plan, are policies which govern roads, transportation, and stormwater management. As noted earlier in the report, the lands will have access to West Ridge Drive, as well as requiring the construction of an emergency access. As part of future phases of Lora Bay, West Ridge Drive will provide further connection south of the Georgian Trail. However, prior to that connection being established, the lands are only served by one permanent road connection, which is the rationale for also requiring a secondary emergency access, as per section 8.2(j) of the County Plan. Conditions of draft approval have been included to address these matters.

Section 9.13 of the County Plan includes criteria to be considered with respect to plans of subdivision. Staff are satisfied that these criteria have been satisfactorily addressed.

Town of The Blue Mountains Official Plan 2016

The subject lands are designated 'Residential Recreation Area' (RRA) within the Town of The Blue Mountains Official Plan. The RRA designation permits a maximum density of up to 10 units per hectare. This proposed development has a density of 9.1 units per hectare. A detailed analysis of the Town's Official Plan has been provided by Town staff in their staff report which can be found [here](#). County staff have reviewed the analysis of the Town Official Plan provided by Town Staff and would concur with the conclusions provided.

Subject to the recommended conditions of draft approval attached to this report, County staff are satisfied that the draft plan of subdivision;

- has regard for matters of Provincial interest under the *Planning Act*,
- is consistent with the Provincial Policy Statement (2020),
- conforms to the County Official Plan (2019), and
- conforms to the Town Official Plan (2016).

Legislated Requirements

The application was processed in accordance with the *Planning Act*.

Financial and Resource Implications

There are no anticipated financial, staffing or legal considerations associated with the proposed subdivision, beyond those normally encountered in processing such applications. The County has collected the requisite fee and peer review deposit for this application.

Relevant Consultation

- Internal: Planning
- External: The public, Town of The Blue Mountains, and required agencies under the *Planning Act*.

Appendices and Attachments

[Town of The Blue Mountains Staff Report](#)

[Public Meeting Minutes](#)

Appendix 1: Recommended Conditions of Draft Approval

Plan of Subdivision File No. 42T-2022-06, if granted draft approval, will be subject to the below conditions of draft plan approval.

General Requirements

1. That this approval applies to the draft plan of subdivision located on the property legally described as Plan 16M8 Part of Block 1, Town of The Blue Mountains, County of Grey, prepared by Korsiak Urban Planning last revised August 3, 2023 and signed by the Surveyor and Owner on August 4, 2022, showing the following:
 - 45 Single Detached Lots (Lots 1 – 45 consisting of 45 Dwelling Units)
 - 4 Rowhouse Blocks (Blocks 46 – 49 consisting of 13 Dwelling Units)
 - 2 Public Streets (Streets A and B)
 - 4 Blocks:
 - Blocks 50 and 51 (Parkland Dedication)
 - Block 52 (Servicing and Walkway)
 - Block 53 (Servicing)
2. The Owner shall enter into and execute a Subdivision Agreement, in accordance with these Draft Plan Conditions, prior to final approval and registration of the Plan, to satisfy these conditions and all financial, legal, and engineering matters, including landscaping and the installation of municipal services, and other requirements of the Town of The Blue Mountains (“the Town”) and the County of Grey (“the County”), as well as any statutory requirements of other government authorities, including the payment of all applicable Town and County development charges in accordance with the applicable Development Charges By-law.
3. The headings inserted in these draft plan conditions are inserted for convenience only and shall not be used as a means of interpreting these draft plan conditions.
4. That the Owner shall enter into development and other necessary agreements or obtain necessary approvals, satisfactory to the Town or any other appropriate authority before any development or site alteration within the plan including filling, grading, removing trees and/or topsoil, installing any works, or constructing any buildings or structures. These Agreements may deal with matters including but not limited to the following:
 - i. Engineering works which include municipal water, sanitary sewer services;
 - ii. Professional services including preparation of reports, plans, inspections, certifications and approval;
 - iii. Drainage, stormwater management;
 - iv. Storm sewers and infiltration galleries;
 - v. Road and intersection construction;
 - vi. Securities, cash contributions, development charges;
 - vii. Emergency services;
 - viii. Land dedications and easements, reserves;
 - ix. Hydro, Street Lighting, Natural Gas and Telecommunication Utilities;
 - x. Architectural Control;
 - xi. Grading and sodding;

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- xii. Fencing & Landscaping;
- xiii. Tree retention, enhancement, or compensation;
- xiv. Trails/walkways;
- xv. Fire Break Plan, if required;
- xvi. Construction Implementation and/or Mitigation Measures;
- xvii. Warning clauses, signed entry features and safety hoarding;
- xviii. Public notification, signage and minimum notice periods.

The details of which may indicated in correspondence from appropriate commenting agencies and/or departments.

5. Draft Plan Approval does not constitute a commitment by the Town to provide servicing access to the Town's water or wastewater treatment plants or allocation of associated built capacity. Prior to execution of a Pre-Servicing Agreement and/or Subdivision Agreement with the Town, sufficient water and sanitary sewer capacity shall be confirmed as available and allocated by the Town.
6. The Owner shall agree in the Subdivision Agreement that all of the works required by the Town, the County, other government authorities, and utility providers for the development and servicing of the lands shall be designed and installed in accordance with the Town's Engineering Standards, and Provincial & Federal Guidelines & Standards, that are in effect at the date of execution of the Subdivision Agreement to the satisfaction of the Town. Where compliance with Town Engineering Standards necessitates offsite works, (i.e. water distribution, sanitary sewer, or stormwater management system upgrades) the owner shall enter into agreements with the Town and/or the County to implement or enter into costs sharing agreements for the requisite offsite works, to the satisfaction of the Town.
7. That prior to final approval by the County, appropriate zoning is in effect, to the satisfaction of the Town of The Blue Mountains, for this proposed subdivision that conforms to the County of Grey Official Plan and the Town of The Blue Mountains Official Plan.
8. That prior to final approval by the County, the Owner agrees to provide lot frontage, area, and site-specific information as necessary to ensure that all lots and blocks conform to the Town of The Blue Mountains Zoning By-law.
9. That the Owner acknowledges and agrees that holding provisions applicable to the lands described in Condition 1 shall be fulfilled in their entirety before final approval by the County, and that, in the event that any of the holding provisions cannot be met without requiring changes to the Zoning By-law and/or Draft Plan of Subdivision and Conditions of Approval, the Owner agrees to file the necessary *Planning Act* applications subject to municipal and agency requirements at the Owner's expense and to gain required approvals.
10. That the public streets shall be named in accordance with the Town's Street Naming Policy, to the satisfaction of the Town of The Blue Mountains.

Servicing, Grading and Road Requirements

11. That prior to final approval by the County, a Site Servicing Plan is prepared to show how the development is fully serviced with sanitary sewer and water to the satisfaction of the Town of The Blue Mountains.
12. That the Owner agrees that prior to entering into a Pre-Servicing and/or Subdivision Agreement the Owner shall complete a comprehensive servicing analysis of water and wastewater treatment plant and conveyance capacity in accordance with an approved Terms of Reference, to the satisfaction of the Town and subject to peer review as may be required at the Owner's expense.
13. That prior to final approval and registration of the Plan, the Town shall provide confirmation to the County that there is sufficient water and sanitary capacity available and allocated to service the Lora Bay Phase 4B plan of subdivision, based on actual usage, as determined by the Town's monitoring of water flows and sanitary sewer flows.
14. That the Subdivision Agreement shall detail and confirm the water and sanitary servicing capacity allocated to this plan of subdivision.
15. That the Owner shall agree in the Subdivision Agreement to provide for all necessary installations and connections to any existing municipal storm drainage, sanitary sewer collection and water servicing systems to service the proposed development, to the satisfaction of the Town.
16. That a stormwater management plan be prepared to the satisfaction of the Town in consultation with the Grey Sauble Conservation Authority.
17. That prior to execution of a Pre-Servicing Agreement or Subdivision Agreement, a detailed engineering and drainage report will be provided which describes the stormwater drainage system for the proposed development on the subject lands to the satisfaction of the Town. The Plan shall demonstrate how the drainage system will tie into the drainage of surrounding properties and how external drainage and site drainage is appropriately conveyed.
18. That prior to final approval by the Town, Operation and Maintenance Manuals for any non-standard infrastructure shall be provided to the satisfaction of the Town.
19. That the Subdivision Agreement shall contain specific clauses related to the required Ontario Building Code / Engineering Standards, as applicable, of the Town and County of Grey including but not limited to the following:
 - i. The appropriate horizontal and vertical alignments of all roads, including their intersection geometrics, and underground services;
 - ii. That suitable construction traffic routes are identified to the satisfaction of the Town and County of Grey; and,

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- iii. The street lighting system on roadways be designed and constructed to the satisfaction of the Town. The Subdivision Agreement shall also require that all external lighting, including street lighting, be dark-sky compliant.
20. That a suitable temporary construction access road is provided to direct development construction activity away from West Ridge Drive/Street 'A' as appropriate. This temporary access is to be constructed to the satisfaction of the Town. This temporary access road will also serve the purpose of providing secondary emergency access to the development. The Subdivision Agreement will provide for the timing of the closure and decommissioning of this temporary road access.
21. That the Owner agrees in the Subdivision Agreement to install the temporary construction fence (along the perimeter of the development) and the required tree protection prior to commencing any on-site works. The details and the location of the temporary construction fencing, and tree protection fencing shall be clearly shown on the approved Erosion and Sediment Protection drawing submitted to the Town as part of the engineering submission. It is the Town's expectation that all temporary construction fencing, and tree protection will be inspected and documented by the Engineer on a weekly basis and that all deficiencies noted are repaired within a minimum 2 calendar days of the date of inspection.
22. That the Owner agrees in the Subdivision Agreement to have prepared by their Engineer and have implemented by their contractor an Erosion and Sediment Control Plan. This plan will address items such as, but not limited to, mud tracking prevention, temporary storm water management (quantity and quality), sediment control, erosion prevention, regular inspection and documentation by the Engineer, immediate repairs to deficiencies, tree preservation, temporary perimeter construction fencing and shall address all phases and stages of construction.

It is the Town's expectation that the engineer shall, at a minimum, provide weekly inspection of the implemented design and as required, recommend modification to the plan to suit the site condition and time of year. The monitoring by the Engineer shall continue through the home building stage of construction and shall only terminate once the site has been stabilized to the Town's satisfaction. All deficiencies noted during any inspection shall be recorded and rectified within two calendar days.

That the Owner further agrees in the Subdivision Agreement to stabilize all disturbed soil within 30 days of being disturbed, control all noxious weeds and maintain ground cover, to the satisfaction of Town Administration.

Through the Subdivision Agreement and/or site alteration permit the Owner shall provide sufficient securities to the satisfaction of the Town Administration to ensure the maintenance of this plan including the required regular inspection by the Engineer.

23. That the Owner agrees in the Subdivision Agreement to have prepared by their Engineer a plan calculating the total amount of topsoil required for site restoration including all road allowance, open space, storm water management blocks and lots plus 10% and

Appendix 1: Draft Recommended Draft Plan Conditions

shall identify stockpile location within the site complete with appropriate erosion and sediment control to satisfaction of the Town. It is the Town's expectation that all surplus debris and topsoil shall be removed from the site prior to the commencement of home construction.

24. That the Owner agrees in the Subdivision Agreement to provide 0.3m reserves, where applicable and as required by the Town.
25. That the Owner agrees in the Subdivision Agreement that time is of the essence in the completion of site works as set out in the construction schedule and that failing completion of on or off site works in a timely manner as determined by the Town Administration, securities may be drawn by the Town Administration to complete or secure those works including but not limited to providing contractor payment from the project securities and that any amounts drawn from project securities for such implementation are to be replaced within 30 days.

Utilities and Canada Post

26. That the Owner shall grant all necessary easements and/or blocks and/or enter into agreement for drainage, utility and servicing purposes, including CRTC-licensed telephone and broadcasting distribution, as may be required, to the appropriate agency or public authority.
27. The Owner shall provide to Enbridge Gas (operating as Union Gas) the necessary easements and/or agreements required by Union Gas for the provision of gas services in a form satisfactory to Enbridge Gas.
28. The Owner, in consultation with the applicable utilities and communications service providers, shall prepare an overall utility distribution plan that shows the locations of all utility infrastructure for the subdivision, as well as the timing and phasing of the installation.
29. That the Subdivision Agreement include a clause requiring that the Owner agrees to relocate any existing utilities as a result of the subject development at the sole expense of the Owner.
30. That the Subdivision Agreement include a requirement that arrangements be made with Canada Post and the Town's Development Engineering Department for the provision of suitable mail delivery methods which may include the installation of Canada Post Community Mailbox and that the location be included on the appropriate servicing plans.
31. That should a Community Mailbox be required, that the Subdivision Agreement contain further clauses requiring that the Developer install an appropriately sized sidewalk section (concrete pad) per Canada Post specifications, to place the mailbox on, plus any required walkway access and/or curb depressions for wheelchair access and the provision of a temporary Community Mailbox location until curbs, sidewalks and final grading have been completed.

Vegetation, Fencing, and Streetscape Requirements

32. That the Owner agrees the Open Space lands on the subject lands shall be held in the Open Space Zone and that building shall not be permitted in this zone, trees shall be retained and enhanced in accordance with associated approved recommendations of the Tree Inventory and Protection Plan, Landscape Analysis, and any addenda to the Environmental Impact Study.

33. That prior any vegetation clearing on-site, the Owner prepares a Tree Inventory and Preservation Plan by a qualified Environmental Consultant, Landscape Architect or Arborist, which identifies existing trees and other vegetation and means of protection, restoration, and enhancement, through appropriate plantings or other measures including edge management, to the satisfaction of the Town of The Blue Mountains and Grey County. The Terms of Reference for this report shall be approved by the Town of The Blue Mountains and Grey County prior to the report being prepared. The Tree Inventory and Preservation Plan shall include amongst other matters:
 - i. Consideration for the Town's Engineering Standards;
 - ii. Special provisions to ensure that the existing vegetation on the periphery and throughout the site be maintained and protected, where feasible, during the development process;
 - iii. Special provisions to ensure that existing vegetation on the adjacent lands be protected during development and construction;
 - iv. Special provisions to ensure that existing vegetation in Blocks 50 and 51 is maintained and protected, where feasible, in coordination with the detailed engineering design and review and in consideration of the parkland requirements, programming, and the role and function of these blocks;
 - v. Special provisions to ensure that existing vegetation within the 3-metre planting strip along the rear yards of lots abutting the Georgian Trail is maintained and protected, where feasible; and
 - vi. That any tree removal be done in accordance with the findings of the Environmental Impact Study; which requires tree removal be limited to a timeline between October 1st and March 31st. Should any clearing be proposed at any other times of the year, it must only be done in consultation with the Ministry of Environment, Conservation and Parks, and in accordance with the *Migratory Birds Convention Act* and the *Endangered Species Act*.

34. That the Owner agrees that the Tree Inventory and Preservation Plan shall be incorporated into the Subdivision Agreement with the Town. The Subdivision Agreement shall ensure that the Owner shall save and/or remove any trees and vegetation on the subject lands as required by the Tree Inventory and Preservation Plan to the satisfaction of the Town of The Blue Mountains.

35. That prior to any vegetation clearing on-site, the Owner prepares an Edge Management Plan to address the development limits of the subject lands and mitigative works, and to identify areas requiring establishment of a new woodland edge and to identify and specify approaches for restoration/enhancement of open lands adjacent to retained woodlands/treed areas. This Plan shall be prepared in accordance with the Tree

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Inventory and Preservation Plan, Landscape Analysis, and Environmental Impact Study, and to the satisfaction of the Town. The Plan shall also address hazard trees within the subject lands and within a 6.0-metre buffer into adjacent lands to identify opportunities for enhancement plantings and shall be coordinated with the Tree Inventory and Preservation Plan for implementation in the design and construction phases of development.

36. That, where identified under the approved Tree Inventory and Preservation Plan, or as directed otherwise by the Town, the Owner shall remove vegetation from Blocks 50, 51, 52, and 53, rough grade such that best efforts are taken to ensure there is no standing water, maintain in general conformity with the approved comprehensive grading plan, and seed and topsoil all rough graded areas.
37. That prior to final approval, the Owner agrees in the subdivision agreement to register a restrictive covenant on title on all lots backing onto the Georgian Trail for the purposes of ensuring that existing vegetation is retained, where possible, or newly planted where retention was not feasible, within the required 3-metre planting strip, to the satisfaction of the Town.

Park and Open Space Requirements

38. The Owner shall provide Blocks 50 and 51 to the Town of The Blue Mountains, to satisfy the Town's parkland dedication needs, in accordance with the *Planning Act*.
39. That the Subdivision Agreement include provisions for a public walkway connection between 'Street B' and Block 51 being Block 52.
40. That the Owner agrees in the Subdivision Agreement to prepare and implement, at their own cost, in accordance with the Tree Inventory and Preservation Plan and the Town's Engineering Standards, and to the satisfaction of the Town, a preliminary Park Design Plan for Blocks 50, 51, and 52. The Terms of Reference for this Plan shall be approved by the Town prior to the Plan being prepared.

Miscellaneous

41. That the Owner agrees that the Subdivision Agreement shall contain Notice and Warning clauses on all Purchase and Sale Agreements as follows:
 - i. Owners and prospective buyers shall be advised that they have or may purchase a property in proximity to this Golf Course and may be subject to related impacts of its operations.
 - ii. Owners and prospective purchasers shall be advised that model homes may be permitted on the subject lands and that the location and term of operation during which model homes are in operation may be prolonged and that during the term of operation they operate, in part, as sales centres during which higher volumes of traffic and other similar operating characteristics can be expected.
 - iii. Owners and prospective purchasers shall be advised that the construction activity within the subject lands may be ongoing until all lots have been developed, that the duration of construction is unknown, and that any

construction is subject to the Development Communications Plan agreed to by the Developer.

42. That the Owner agrees that the Subdivision Agreement shall contain Notice and Warning clauses on all Purchase and Sale Agreements for lots backing onto the Georgian Trail to acknowledge the required 3-metre planting strip and associated restrictive covenant, including that existing vegetation shall not be removed and that additional features shall only be installed and/or planted in accordance with the Zoning By-law.
43. That prior to execution of any Subdivision Agreement, the Owner shall submit a Development Communications Plan for review and approval by the Town. The Development Communications Plan shall inform the Town and area residents of Significant Site activities and include:
 - i. Installation of a Project Notification Sign, 1.2 m x 2.4 m minimum, to Town template, at each construction access to the Lands and visually obvious to the public, at least two (2) weeks before the construction start date, and maintained for full duration of construction.
 - ii. Notification of the construction project to property owners as deemed appropriate in consultation with Development Engineering via hand/mail delivery.
 - iii. Schedules of intended site activities updated routinely. (typically, weekly to bi-weekly).
 - iv. A minimum of two (2) weeks' notice following Town approval and prior to commencement of:
 - a. Significant site activities including such as site alteration works as tree clearing & grubbing, commencement of site servicing/grading, placement of asphalt, concrete curbs and sidewalk, and landscaping, and/or
 - b. Off-site works on Town Owned Lands/Roads following receipt of a Municipal Land Use Permit (MLUP).
44. That prior to final approval, the Owner shall carry out an archaeological assessment of the subject property and mitigate, through preservation or resource removal and documentation, adverse impacts to any archaeological resources found, to the Saugeen Ojibway Nation (SON) archaeological standards and the Ontario Ministry of Tourism and Culture's standards and Guidelines for Consultant Archaeologists. No tree cutting, stump removal, grading or other soil disturbances shall take place on the subject property prior to the Town of Blue Mountains, SON and the Ministry of Culture confirming that all archaeological resource concerns have met licensing, resource conservation requirements and SON archaeological standards.
45. That the Owner shall agree in the Subdivision Agreement, prior to offering any of the residential lots for purchase, to place a 'Display Map' on the wall of the sales office in a place visible to the public, which indicates the approved location of all sidewalks,

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walkways, trails, community mailboxes, parks, schools, open space areas, environmental protection areas/tree preservation areas, watercourses, and surrounding land uses. The Owner shall also agree to keep Accepted for Construction drawings in the sales office which show easements, hydrants, utilities, lighting, lot grading, landscaping, and noise attenuation measures, as applicable.

Administration

46. Prior to final approval and registration, the Subdivision Agreement shall include special provisions addressing the following matters in wording acceptable to the Town:
- i. That the Owner shall agree that all vacant lots shall be rough graded such that best efforts are taken to ensure there is no standing water and shall be maintained in general conformance with the approved comprehensive grading plan. The Owner shall further agree in the Subdivision Agreement to topsoil and seed any rough graded area not proceeding to construction in a timely manner, to the satisfaction of the Town.
 - ii. That the Owner shall agree to engage a qualified engineer and that the Owner's Engineer certify that their reports conform with applicable standards to the satisfaction of the Town of The Blue Mountains and that the Engineer provides certification that the final constructed works conform to the approved design.
 - iii. That the Owner shall agree to engage a qualified engineer to review and certify that the completed pre-grading works comply with the pre-grading shown on the approved grading and drainage plan.
 - iv. The Owner, and/or any future Lot Owner, shall agree to engage a qualified consultant to prepare a Final Lot Grading Certificate prior to Final Inspection, indicating that the grading of the lot has been completed in conformity with the Approved for Construction Master Grading/Drainage Plan, and to submit to the Chief Building Official for approval.
 - v. The Owner shall agree that any temporary stormwater management, construction mitigation, sediment and erosion control measures be approved by the Town and in place prior to site alteration with the exception of site alteration to install such measures.
 - vi. That the Owner shall agree to obtain any required statutory permits from the County of Grey, Town of The Blue Mountains, or any other applicable authority, prior to any site alteration.
 - vii. The Owner shall agree to the following:
 - a. Should previously unknown or unassessed deeply buried archaeological resources be uncovered during development, such resources may be a new archaeological site and therefore subject to Section 48 (1) of the *Ontario Heritage Act*. The proponent or person discovering the archaeological resources must cease alteration of the site immediately and engage a licensed archaeologist to carry out archaeological fieldwork, in compliance with section 48 (1) of the *Ontario Heritage Act*,
 - b. That anyone working on the subject lands who uncovers a burial site containing human remains shall cease fieldwork or construction activities and immediately report the discovery to the police or coroner in accordance with the Funeral, Burial and Cremation Services Act.

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- viii. The Owner shall agree to provide for all necessary installations and connections to any existing municipal storm drainage, sanitary sewer collection and water servicing systems to service the proposed development, to the satisfaction of the Town.
 - ix. the Owner shall agree that a municipal numbering system shall be assigned to the satisfaction of the Town with regard to 911 emergency servicing. The Owner shall also agree in the Subdivision Agreement to display the lot number and corresponding assigned municipal address in a prominent location on each lot prior to and during all times of construction.
47. That prior to final approval, the County is advised in writing by the Town of The Blue Mountains how conditions 1-46 have been satisfied.
48. That That prior to final approval, the County is advised in writing by the Grey Sauble Conservation Authority how condition 16 has been satisfied.
49. That prior to final approval, the County is advised in writing by Enbridge Gas how condition 27 has been satisfied.
50. That prior to final approval, the County is advised in writing by Canada Post how conditions 30 and 31 have been satisfied.
51. That prior to final approval, the County is advised in writing by the Saugeen Ojibway Nation how condition 44 has been satisfied.
52. That prior to final approval, a copy of the fully executed Subdivision Agreement between the Owner and Town shall be provided to the Conty of Grey.
53. That the Owner, submit to the Town of The Blue Mountains and the County of Grey with a digitized copy of the Final Plan in a format acceptable to the County of Grey.
54. This draft plan approval shall lapse on _____, 2027. If final approval is not given to this plan within three (3) years of the draft approval date, and no extensions have been granted, draft approval shall lapse under Subsection 51(32) of the Planning Act, RSO 1990, as amended. If the owner wishes to request an extension to draft approval, a written explanation together with the applicable application fee and a resolution/letter of support from the local municipality must be submitted to the County of Grey, prior to the lapsing date. Please note that an updated review of the Plan and revisions to the conditions of approval may be necessary if an extension is to be granted.

NOTES TO DRAFT APPROVAL

1. That the Owner acknowledges that the Town will require the updated Lora Bay Master Development Agreement to identify tree planting locations to be coordinated with the recommendations of the Tree Inventory and Preservation Plan, or future Environmental Impact Study work, on portions of the larger Lora Bay development lands to be protected for the long term, to the satisfaction of the Town. Candidate tree planting locations may integrate Low Impact Development (LID) techniques.

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2. Where a condition of approval requires the preparation of a report-study, or plan, the Owner shall:
 - i. Carry out, or cause to be carried out, the study, report, or plan, at the Owner's expense, prior to the registration of the Plan, except in those circumstances that may be specifically authorized by the approving agency(ies).
 - ii. Carry out, or cause to be carried out, the recommendation(s) or work(s) prescribed in the approved study, report, or plan, prior to the registration of the Plan, except in those circumstances that may be specifically authorized by the approving agency(ies).
3. The Town reserves the right to have any of the detailed reports and drawings peer reviewed by an appropriate third-party professional at the Owner's expense, prior to the execution of the Subdivision Agreement.
4. It is the applicant's responsibility to fulfill the conditions of draft approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the County of Grey, quoting the County file number.
5. An electrical distribution line operating at below 50,000 volts might be located within the area affected by this development or abutting this development. Section 186 - Proximity - of the Regulations for Construction Projects in the Occupational Health and Safety Act, requires that no object be brought closer than 3 metres (10 feet) to the energized conductor. It is proponent's responsibility to be aware, and to make all personnel on site aware, that all equipment and personnel must come no closer than the distance specified in the Act. They should also be aware that the electrical conductors can raise and lower without warning, depending on the electrical demand placed on the line. Warning signs should be posted on the wood poles supporting the conductors stating "**DANGER - Overhead Electrical Wires**" in all locations where personnel and construction vehicles might come in close proximity to the conductors.
6. Clearances or consultations are required from the following agencies, as well as the appropriate agency or authority providing utilities or services:
 - Town of The Blue Mountains, PO Box 310, 32 Mill Street, Thornbury, ON, N0H 2P0
 - Grey Sauble Conservation Authority, 237897 Inglis Falls Road, Owen Sound, ON, N4K 5N6
 - Enbridge Gas Inc., 50 Keil Drive North, Chatham, ON, N7M 5M1
 - Canada Post, 955 Highbury Avenue North, London, ON, N5Y 1A3
 - Saugeen Ojibway Nation Environment Office, 10129 Highway 6, Georgian Bluffs, ON, N0H 2T0
7. We suggest you make yourself aware of the following subsections of the Land Titles Act:
 - i. subsection 144(1) requires all new plans to be registered in a Land Titles system if the land is situated in a land titles division; and
 - ii. subsection 144(2) allows certain exceptions.

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The subdivision plan for Registration must be in conformity with the applicable Ontario Regulation under The Registry Act.

8. Inauguration or extension of a piped water supply, a sewage system or a storm drainage system is subject to the approval of the Ministry of the Environment Conservation and Parks under the Ontario Water Resources Act, RSO 1990, as amended.
9. All measurements in subdivision final plans must be presented in metric units. The final plan approved by the County must be registered within thirty (30) days or the County may withdraw its approval under subsection 51(32) of the Planning Act RSO 1990, as amended.