

To:	Warden Matrosovs and Members of Grey County Council
Committee Date:	July 10, 2025
Subject / Report No:	PDR-CW-43-25
Title:	Homefield Communities – Request for Joint Legal Review
Prepared by:	Becky Hillyer
Reviewed by:	Scott Taylor
Lower Tier(s) Affected:	Town of The Blue Mountains

Recommendation

1. That report PDR-CW-43-25 be received; and
2. That staff be directed to invite the Town of The Blue Mountains to retain legal counsel on a joint retainer for the review of the ‘Homefield Communities’ development, to facilitate cost savings, process efficiency, and collaboration between the County and Town.

Executive Summary

In late 2024, the County received a plan of subdivision and plan of condominium application from Homefield Communities, which proposes to develop approximately 345 residential units (townhouses), through a land-lease development model. A previous Information Report (PDR-CW-61-24) was brought to Committee on this matter, and is linked in the Attachments section of this report. Given the nuances of this development (being a plan of subdivision, condominium, and land lease arrangement), staff are undertaking a third-party legal review of some submission material, to better understand the planning rationale, merit, and impacts to future residents of this model. To promote general efficiency, foster collaboration and cost savings, the County seeks permission from Committee to permit the Town of The Blue Mountains to join as a party to the County’s existing legal retainer for the Homefield Communities development, or to potentially retain alternate joint counsel.

Background and Discussion

As noted, the County received a plan of subdivision application (42T-2024-10) and concurrent plan of condominium application (42CDM-2024-14) in 2024, from Homefield Communities. The recently revised applications propose to develop approximately 349 townhouses, a neighbourhood amenity center (including a potential daycare), private roads, parks, trails, and stormwater facilities through a land-lease development model. The development would be fully serviced by municipal water and sewer services.

This development is the first time that both County and Town planning staff are reviewing a development that proposes a plan of subdivision, plan of condominium, and land lease model, as part of a singular development entity. Given the somewhat differing legislative context for each application, there is some complexity with this review process. General questions have been raised by County and Town staff that will require additional discussion with legal counsel.

To confirm, external peer review processes are commonplace for many developments under the *Planning Act*, particularly for engineering studies such as Stormwater Management, Geotechnical, Servicing, etc. Municipal and County staff frequently work together to undertake a singular peer review process and results are generally shared between the County and member municipality, and often with the applicant. Costs for the peer review process are billed back to the applicant, rather than to the County or local municipality.

On the matter of a peer review as it would relate to legal matters, staff are undertaking a third-party legal review of some submission material, to better understand the planning rationale, merit, and impacts to future residents of this model. Therefore, staff are seeking consent from Council to enter into a joint retainer and share privileged client information with the Town. As County and Town staff are working closely together to process the development applications, Planning staff are of the opinion that a joint retainer would be in the best interest of all parties, and may facilitate cost-savings to the applicant, process efficiency, as well as ensuring that both the Town and County have the same basis of understanding to provide an informed future recommendation on the subject development. Town staff have also provided preliminary support for this approach.

To be clear, while both the Town and County may share legal counsel, both parties would have the opportunity to interpret any forthcoming legal opinion independently, draw their own conclusions, and/or seek additional independent legal review.

Analysis of Planning Issues

County staff have reviewed all reports and material submitted by the applicants as part of a first submission and provided detailed planning comments to the Town and applicants. In response to initial planning comments, the applicants have recently submitted a revised second submission, and County staff are undertaking a second round of review. The intent of this report is not to provide an analysis of planning issues or any recommendation on the proposed development. Rather, this report seeks consent from Committee for County staff to invite the Town to become a second party to the County's existing legal retainer, for the purpose of more efficiently reviewing the proposed development. At a later date, a recommendation report with a detailed planning analysis will be provided to Committee of the Whole.

Staff would highlight that Section 2 of the *Planning Act* requires that the council of a municipality shall have regard for matters of provincial interest such as (m) the co-ordination of planning activities of public bodies; and (g) the minimization of waste. Therefore, Planning staff would suggest that working together with the Town on this matter would meet the intent of the Planning Act.

Map 1 below shows the Subject Lands, while Map 2 shows the recently submitted revised concept plan.

[illegible]

As noted, the fees for peer review are billed back to the applicant of a development. Therefore, whether the Committee supports the recommendation or not, there will be no financial implications to the County. Should the County and Town choose to collaborate on this matter, this may have the result of reducing overall development costs for the developer/applicant.

☒ Internal

- ☒ Legal Services, Clerks
- ☒ External
- ☒ Town of The Blue Mountains

Appendices and Attachments

- [42T-2024-10 Homefield Communities - PDR-CW-61-24](#)
- [Supporting Studies and Material for Proposed Development](#)