



Planning and Development

595 9th Avenue East, Owen Sound Ontario N4K 3E3
519-372-0219 / 1-800-567-GREY / Fax: 519-376-7970

March 7th, 2024

Shawn Postma
Town of the Blue Mountains
32 Mill Street
Thornbury, ON
N0H 2P0

**RE: Zoning By-law Amendment Application P3165 and Consent Applications P3166, P3167, and P3168
PL 529 PT LT 147,148 & 149; RP16R801 PT 1 TO 2 PART 4; SUBJ TO EASEMENT OVER PARTS;6 & 7 PL 16R 3613 (372 Grey Road 21)
Town of the Blue Mountains
Roll: 424200000302300
Owner: Rhemm Properties Ltd.
Applicant: Kristine Loft**

Dear Mr. Postma,

This correspondence is in response to the above noted application. We have had an opportunity to review the application in relation to the Provincial Policy Statement (PPS) and the County of Grey Official Plan (OP). We offer the following comments.

The purpose and effect of the subject application is to sever three lots from an existing 20.28-hectare lot. The lots are proposed to meet the minimum lot standards of the Residential One 'R1-1' zone and are proposed to connect to the Collingwood water system and supported by the water allocation provided to The Blue Mountains through the existing supply contract. The lots are proposed to connect to The Blue Mountains municipal sanitary sewer.

Schedule A of the County OP designates the subject lands as 'Recreational Resort Settlement Area'. Section 3.8(2) states,

New development in the Recreational Resort Settlement Area land use type 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 land use type or in settlement areas.

The proposed development would create three new vacant residential lots. The proposed severances meet these requirements as it would create growth within the settlement area and help support nearby recreational facilities. Further, the proposed development would use full municipal servicing. Therefore, County Planning staff have no concerns.

Section 3.4(21) of the County OP states,

Where new residential development is occurring on larger landholdings, it must be demonstrated that short-term development projects do not unduly prejudice the efficient use of the lands for future development purposes. Lot creation occurring on larger landholdings may require the completion of concept plans to demonstrate the efficient development of the remainder of the lands.

The retained parcel will not have an existing entrance once the three lots have been severed off. County Transportation Services has stated that an Entrance Permit and exemption regarding the spacing of the entrances would be required. However, they've also indicated that they would support the exemption.

Appendix A of the County OP indicates that the subject lands are near an 'Unknown Petroleum Well'. The Ontario Oil, Gas, and Salt Resource Library states that the well is within 1,000 metres of the mapped location. The proposed severances are located well outside of the 1,000 metres; therefore, County Planning staff have no concerns.

Schedule A of the County OP indicates that the subject lands contain 'Provincially Significant Wetlands'. Further, Appendix B of the County OP indicates that the subject lands contains and/or is adjacent to 'Significant Woodlands', 'Significant Wildlife Habitat', potential 'Habitat for Threatened and/or Endangered Species', 'Other Wetlands', and 'Fish Habitat'. County Planning staff have reviewed the subject application and have a comment stating.

It is Grey County staffs understanding that the proposed development will be located within and/or adjacent to the features. Grey County Staffs have reviewed the scoped Environmental Impact Study (EIS) provided by Birks and find it acceptable. Conditions of approval for the consent(s) should be added to mirror the recommended mitigation measures listed within the EIS as being:

- 1) Fencing should be used appropriately as directed so that wildlife movements are only blocked when desired (i.e., as exclusion fencing during construction).*
- 2) Erosion and sediment control plan to be implemented to protect the retained watercourses/drainage features, wetland and woodland habitats. Control*

measures to be in place until site works have been completed and the risk of sedimentation is no longer a concern.

- 3) Tree cutting should be timed to occur during the calendar months of November 1 to March 31 and no cutting activity in forested areas should occur outside that period. This will ensure that no bats actively roosting in trees will be killed or harmed as a result of clearing activities and is outside of the breeding bird season.*
- 4) Refueling of all equipment should occur at least 30 m from retained natural features, including woodland and wetland habitat.*
- 5) Installation of the culverts required for construction of the lot accesses should occur under dry conditions and outside of the in-water work timing window for Townline Creek. The window should be confirmed with the NDMNRF prior to site alteration, but is generally expected to coincide with protection of spring and fall spawning habitat with in-water work permitted between June 15 and October 15.*
- 6) Control potentially contaminated materials (i.e., fill, soil, gravel, excavated materials) moved by equipment during construction to prevent the spread of invasive plants.*
- 7) Inspect and clean equipment, boots and vehicles prior to allowing access to the property to prevent the spread of invasive plant species into the site.*
- 8) Where possible, maximize the distance of construction equipment used from the woodland edge to avoid disturbing wildlife.*
- 9) Should an animal be injured or found injured during the construction phase, they should be transported to an appropriate wildlife rehabilitation center.*
- 10) A restoration/enhancement plan shall be submitted to the satisfaction of the County and must include tree compensation at a 2:1 compensation rate for any tree removal necessary to accommodate the proposed development.*

Further, it is Grey County Staffs understanding that stormwater management infrastructure is not needed for the proposal. A sediment and erosion control plan will be required, at minimum. The property also lies within an area designated as having an influence on highly vulnerable aquifers, as such, low-impact development/infrastructure is recommended.

In addition, it is Grey County Staffs understanding that the property does not contain protection areas that are subject to policies of the Source Water Protection Act.

Should the applicant seek to injure or destruct trees on lands that extend more than 15 metres from the outer edge of which a Building Permit has been issued, staff recommend consulting the County's Forestry Management By-law <http://grey.ca/forests-trails>. An exemption to the by-law includes the injuring or destruction of trees required in

order to install and provide utilities to the construction or use of the building, structure or thing in respect of which a Building Permit has been issued.

County Transportation Services have reviewed the subject application and have a comment stating,

As a condition of approval, road widening of 5.18 meters shall be conveyed to the County of Grey along the frontage of the County Road for both the severed and retained parcels, where applicable. This shall be legally conveyed at the expense of the applicant.

Entrance permits must be applied for each of the three proposed entrances and for the retained parcel.

Provided the mitigation measures listed in the EIS are implemented, a Road Widening of 5.18 metres along the County road is conveyed to the County for both the severed and retained lots, where applicable, and Entrance Permits are applied for both the severed and retained lots; County Planning staff have no concerns with the subject application.

The County requests notice of any decision rendered with respect to this file.

If you wish to discuss this matter further, please contact me.

Yours truly,

A solid black rectangular box used to redact the signature of the sender.

Derek McMurdie
Planner
(548) 877 0857
Derek.McMurdie@grey.ca
www.grey.ca

Thursday, February 15, 2024 at 09:04:39 Eastern Standard Time

Subject: RE: Development Review Committee - March 14, 2024 - Full Submission Application 1 of 3 - 372 Grey Road 21 (Rhemm Properties Inc.)
Date: Wednesday, February 14, 2024 at 3:20:07 PM Eastern Standard Time
From: Karen Long
To: Ontario Lands
CC: Carter Triana, David Riley, Sierra Horton
Attachments: image002.png, image005.jpg, image001.png, image004.jpg, image007.png

Thank you for your email,



Karen Long

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

IMPORTANT INFORMATION

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

From: Ontario Lands <ONTLands@enbridge.com>
Sent: Wednesday, February 14, 2024 1:09 PM
To: Karen Long <klong@thebluemountains.ca>
Subject: RE: Development Review Committee - March 14, 2024 - Full Submission Application 1 of 3 - 372 Grey Road 21 (Rhemm Properties Inc.)

Thank you for your correspondence with regard to the proposed Severance. Enbridge Gas Inc, does have service lines running within the area which may or may not be affected by the proposed severance.

Should the proposed severance impact these services, it may be necessary to terminate the gas service and relocate the line according to the new property boundaries. Any Service relocation required due to a severance would be at the cost of the property owner. Also, should future gas service be required to either the severed or retained parcel, a request for gas service needs to be submitted to the District Office.

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

Kelly Buchanan
Land Analyst

ENBRIDGE GAS INC.
TEL: 519-436-4673 | FAX: 519-436-5320
50 Keil Dr N, Chatham ON N7M 5M1
enbridge.com
Safety. Integrity. Respect.



March 11, 2024

Ms. Corrina Giles Via email townclerk@thebluemountains.ca

Town Clerk

The Town of The Blue Mountains

32 Mill Street

Thornbury ON N0H 2P0

Dear Ms. Giles

Re: 372 Grey Road 21 [Rhemm Properties Ltd.] Application for Consent to Sever

Blue Mountain Watershed Trust Foundation Comments for Public Meeting March 12, 2024

Blue Mountains Watershed Trust Foundation issues:

The property identified as 372 Grey Road 21 is almost entirely in a Provincially Significant Wetland (PSW) and development there is prohibited by the Provincial Policy Statement (PPS). Appropriate setbacks from the PSWs are also protected under the principles of development outlined in the PPS for PSWs, and in related Provincial legislation.

- A. Our mandate is to protect PSWs by preventing development within their boundaries and their legislated setbacks while ensuring they can be re-charged naturally.
 - a) The Town's Master Transportation Plan (although deemed complete) does not demonstrate an understanding of the inadequacies of the Town's drainage system in this region of the Town. Unacceptable seasonal and intermittent flooding occurs in the vicinity of Monterra Road, around Grey Road 21, and that affects drainage at 372 Grey Road 21. Ditches along Monterra Road and Grey Road 21, cannot reliably convey heavy water flows initiated at the top of the Niagara Escarpment as they head, downhill towards Georgian Bay.
 - b) The Town's Drainage Master Plan, although almost complete, does not address the seasonal or intermittent flooding required to recharge the PSWs in the Town's floodplains in the vicinity of 372 Grey Road 21. Drainage is a municipal responsibility, as is the protection of PSWs.

The application is premature.

B. The Georgian Trail transects the holding and creates an inaccessible portion to the west. Before any approval for this proposal is granted, and before the Zoning is changed from "D- Development" to any other Zone, a Master Development Plan for both segments of 372 Grey Road 21, East and West is required so that Council can see the whole picture before arriving at a decision that would alter the Town's use of this water-soaked land. The entire property holding must be used as the framework for providing legitimate development metrics and approvals. The Town's Official Plan (OP) 2016, which is still in effect, requires a **maximum** density of "10 units per hectare, **net of PSW and Hazard Lands**" and "**40% Open Space**" at 372 Grey Road 21.

Three residential units are permitted on this holding; four would be possible if the metrics proposed were to meet these requirements of the Town's OP, e.g. a quadruplex on the footprint of the former residence, now demolished.

A Master plan was requested at a previous open house on this matter on June 13, 2022. It has not yet been provided.

The application is incomplete.

C. The proposed development is in a floodplain.

Conclusion: As this application remains incomplete and premature, the application must be denied.

Respectfully submitted,

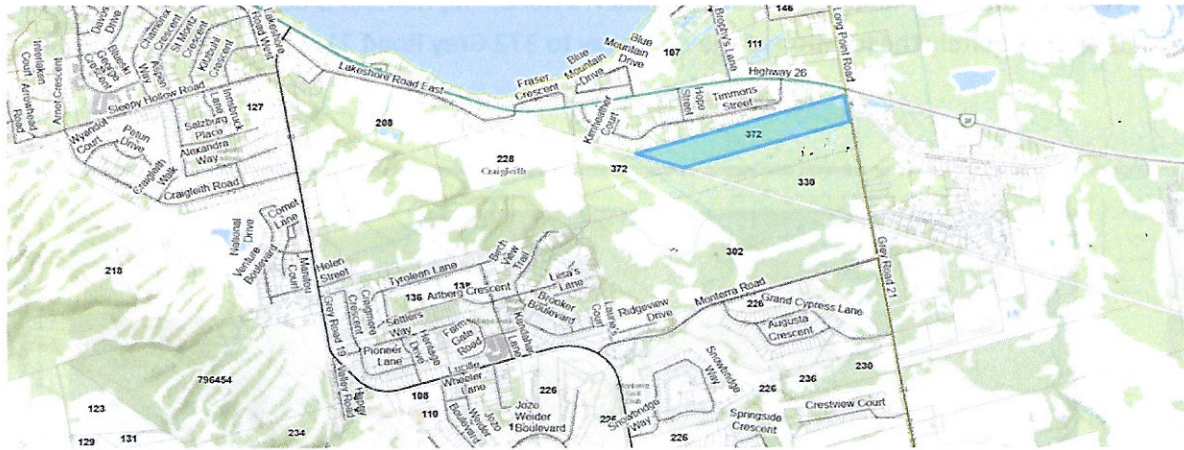


Blue Mountains Watershed Trust Foundation

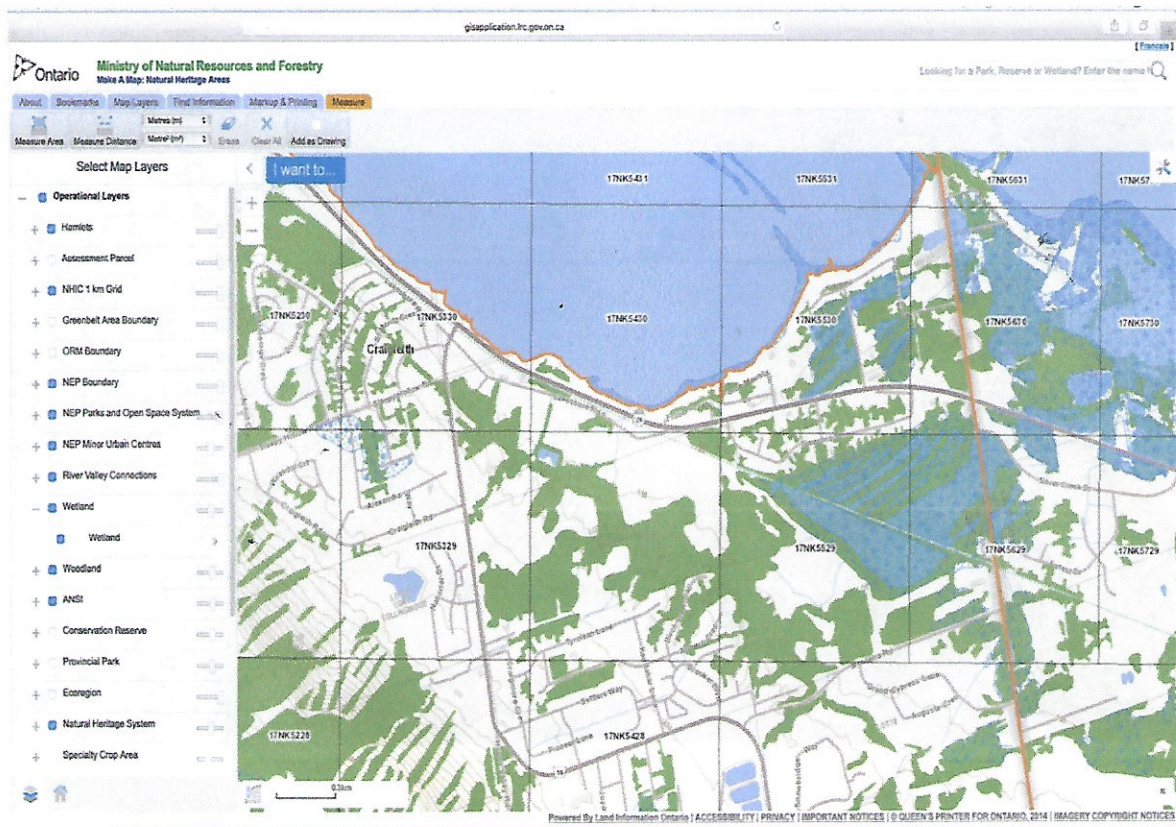
Norman J. Wingrove, CPA, CMA

Acting Secretary-Treasurer

This map shows the location of 372 Grey Road 21.

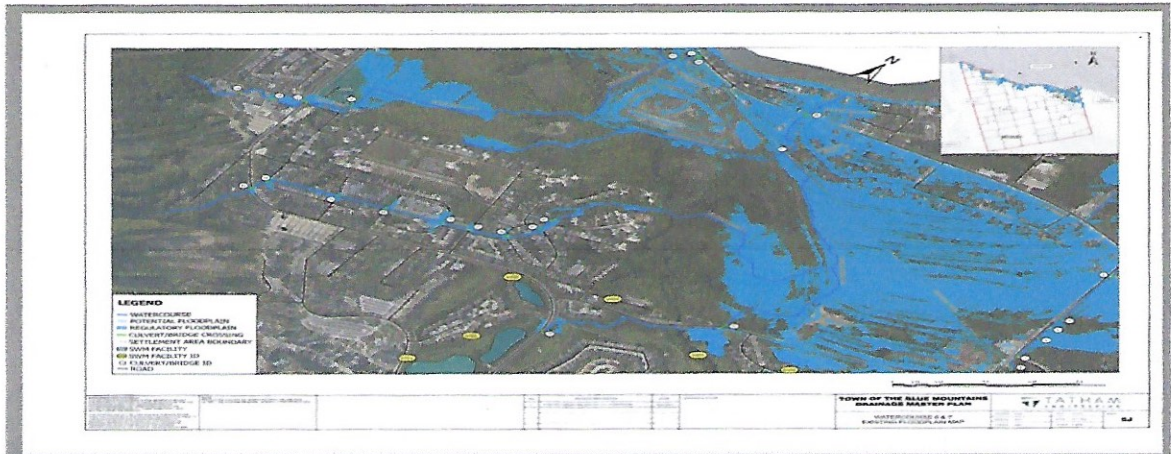


The map below illustrates the intensity of water features as mapped by the Ministry of Natural Resources and Forestry (MNRF) in the vicinity of 372 Grey Road 21. The dark blue patches represent



PSWs and the dark green patches locate the Hazard Lands.

In the Tatham Report and Public Information Centre (PIC) #1, regarding The Town of The Blue Mountains (Town) Master Drainage Plan, in February 2022, this map, 5-J, was one of 14 maps presented. It shows the existing floodplain in the Craigeith shoreline area of the Town between Grey Road 19 and Grey Road 21, north of Monterra Road. The number 3 dot at the far right of the map is approximately the location of the entryway to 372 Grey Road 21.



The white notice attached to the entry gate marks the entrance as photographed in June 2022

Lucy J. Richmond



phone: [REDACTED]
e-mail: [REDACTED]

May 30, 2022

The Town of the Blue Mountains:
Mayor Soever, Deputy Mayor Bordignon,
Councillors; Abbotts, Hope, Matrosov, Uram; and,
CAO Everitt; Director of Planning and Development, Planning Department.
c/o Ms. Corrina Giles, Town Clerk

Dear Ms. Giles:

Re: Notice of Public Meeting - June 13, 2022,
[Application for Zoning By-law Amendment - 372 Grey Road 21](#)

The purpose of this letter is to provide, to the best of my ability, comprehensive information about how this property relates to the neighbourhood. The letter is addressed to the Town of the Blue Mountains for distribution by you, Madame Clerk. I also request that the content of this letter be included in the public record for this matter which will come before the Public Meeting to be held on June 13, 2022, at 1:00 pm, in Hybrid format. Hopefully, the information will serve as a foundation for review, discussion, and informed decision-making on the part of all stakeholders about this matter.

The Full Analysis can be found on pages 3 to 8 of this letter. It will illustrate the following:

- A. Much of 372 Grey Road 21 sits over a Provincially Significant Wetland and development there is discouraged by the Provincial Policy Statement (PPS): Setbacks from watercourses, significant woodlands and Provincially Significant Wetlands must also be protected, as legislated.
- B. The Town's Transportation Master Plan has not been completed and the effects of widening Grey Road 21 soon have not been considered.
- C. 372 Grey Road 21 and the surrounding lands flood seasonally and intermittently. There is no Town Drainage Master Plan to mitigate these events on this property or the as-built neighbourhood.
- D. The Town does not practice "Watershed-based Planning", yet, as described in legislation that the Province has drafted on the matter. Each of the three (3) sub-watersheds mentioned and the as-built areas adjacent to this property will be affected by any disruption in the dynamic watershed functions of the area, as a whole.
- E. The proposal is poorly aligned with the Provincial Policy Statement (PPS) and the Town's Official Plan. A Master plan for both segments of 372 Grey Road 2, and one more Public Meeting about the Master Plan, are required to understand and manage development in the area, wisely.

If the Town is to act on its Declaration of a Climate Crisis, this is the time to amplify the Town's OP mandates regarding "Watershed-based Planning". There will never be a better opportunity than the one

before Council NOW to PROTECT the dynamic watershed functions in the narrow band of land between the Niagara Escarpment and Georgian Bay, two important Biospheres recognized globally and designated by the United Nations. The Province, Grey County and the Citizens of the Town are all waiting to see how we manage today's drainage and flooding challenges and, together with developers, pave a creative path into a more reliably sustainable future.

Conclusion:

This application is incomplete and premature. As such, it qualifies as a matter for a second full public review and consideration before coming before the County or Town Council for approval. The application clearly should be denied at this time.

Sincerely,
Lucy Richmond

PS For those who worry that the County Official Plan has been approved and we must comply, please know that Amendment #11 to Grey County's Official Plan has not yet been approved, to the best of my knowledge, and further amendments have been requested.

The Town's OP 2016 prevails until changes to it are approved. Changes are only to be made if they will better serve the Town, its citizens, and the lands they live on.

Conflicts can arise, between the Second-Tier Municipality (The Town) and its Upper-Tier Municipality (Grey County) in a two-tier municipal system such as ours. When decisions made by the upper-tier municipality do not serve the best interests of the Town, its citizens, and the lands they live on, the second-tier municipality (The Town) has recourse in Provincial Legislation.

**FULL ANALYSIS OF THE APPLICATION FOR ZONING BY-LAW AMENDMENT -
372 GREY ROAD 21**

- A. The map, below, shows the location of 372 Grey Road 21 in 2 segments. The East Block (highlighted) is the subject property. The West Block is also identified as Municipal Number 372 and is located just to the southwest. The Georgian Trail dissects the parcel. (Zoom to 500% if you need to expand the image.) Only the East Block is considered in the proponents' application currently.



- B. The Roads Infrastructure of the Town is being addressed in the Blue Mountains Transportation Master Plan which is under way but incomplete.

It is important to note that Grey Road 21 borders the property on its East side. The County will be widening this roadway soon to accommodate heavy use. The exact location and width of the County's Right-of-Way could come forward as an integral part of the Town's Transportation Master Plan, in due course, but this information is not yet available.

There is no access to the West Block except by the Georgian Trail which is shown as a straight path between the East Block and the West Block of the parcel identified as 372.

The Grey Road 21 Right-of-Way "future design" needs to be considered before the development is approved and before any Official Plan (OP) or By-Law amendments are granted, because the infrastructure is simply not in place. The Provincial Policy Paper (PPS) directs new development to areas where infrastructure is in place or planned. An idea is not a plan.

- C. **How WET is 372 Grey Road 21?**

The darker blue areas shown below are identified, by the province, as **Provincially Significant Wetlands (PSW)**. When you zoom in to 500%, you can also see the blue lines that represent water courses. The light turquoise area is designated by the Grey Sauble Conservation Authority (GSCA) as a "Meander". The original dwelling was located within the meander at the far northeastern corner of the property. Note: it was not built in the PSW.



The area is inundated intermittently and seasonally.

The large, pale blue dip along the top of the map is Georgian Bay. The Blue Mountain Village Ski Runs can be seen in the southwestern quarter of the map. At the narrowest part, the distance between the Escarpment and the Bay is about 4 kilometres - a good hike. Both Georgian Bay and the Niagara Escarpment are United Nations designated Biospheres.

Below, please find 2 photos of the property taken in April of 2019, when the MNR was supervising the environmental clean-up of the illegally dumped construction materials and rusting equipment on the land. The authority to clean-up was designated to the Ministry by the Town under the Town's active, "Fill" By-Law as it was deemed too big a job for the Town to clean up with the equipment the Town had at the time. The property had been listed For Sale since before 2014.

Note the pools of water.



After this MNR clean-up, the property was sold, in 2021.

This third photo shows the entry driveway where it connects to Grey Road 21, looking westward, into the property. It was taken just after the extreme rain event in September of 2021. The County roadside, and the driveway in front of and behind the gate, are impassably flooded. The new owners propose continuing to use this property access point.



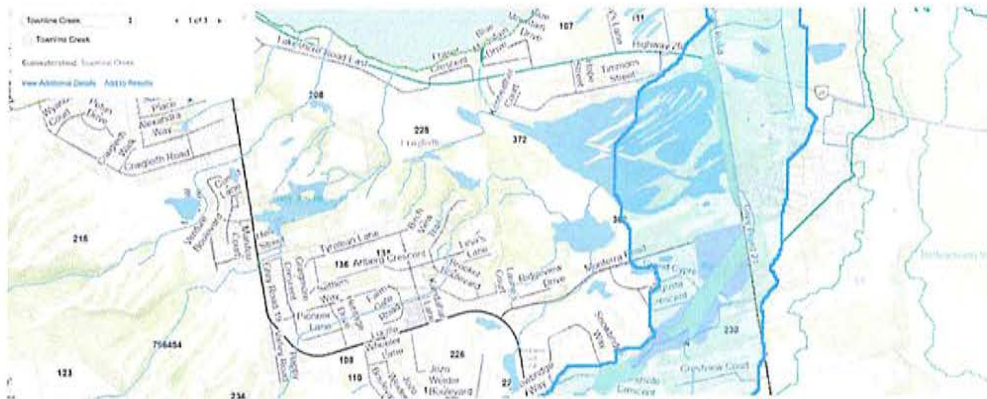
In the Tatham Report and Public Information Centre #1, regarding the Town of the Blue Mountains Master Drainage Plan, in February of 2022, this map, 5-J, was one of 14 maps presented. It shows the Existing Floodplain maps in the Craigleith shoreline area of the Blue Mountains between Grey Road 19 and Grey Road 21, north of Monterra Road. The **small red line** at the far right of the map is approximately the location of the entryway to 372 Grey Road 21.



The Town's pending Master Drainage Plan could mitigate some of the many drainage problems in this area of the Town (as documented in the Town in; Staff Report CSOPS.22.039, Drainage Master Plan PIC 1 Follow-up). The Plan has not been completed, yet.

D. Watersheds will be affected.

The next map shows the boundary of the Townline Creek Sub-watershed as mapped out by the GSCA (the more intensely blue area within the outline). The property lies just below the Timmins Street Development.



The Townline Creek Sub-Watershed is a highly functional, dynamic component of the Blue Mountains Watershed System that supports the Silver Creek Sub-watershed to the East, and the Camperdown/Craigleith Sub-watershed to the West. The Townline Creek Sub-watershed straddles Grey Road 21 between Highway #26 and Monterra Road. Floods ravaged Monterra Road's east end in the extreme water event of 2021. Cold-water fish use the ditches of the road as watercourses, spring, and fall, in their life-cycle migrations to and from the Bay and their spawning grounds.

Watershed systems and their ecosystems are irreplaceable. Their Trees and other green flora absorb huge amounts of water and carbon dioxide and release copious amounts of these elements to the atmosphere in the form of purified water and oxygen for the use of all living things. Traditional development and construction methods remove all the vegetation and topsoil covering the parcels to be developed and attempt to replace this functionality with inferior infrastructure systems in imitation of the real thing. Even the small amount of new development in the proposal under discussion in this letter will significantly disrupt the natural drainage systems in the area. The PPS advises those who would build new developments in PSW to be prohibited from doing so. Imagine being an owner of a new home, here, only to find out, too late, that it had been built in an area that floods seasonally, and intermittently!

The narrow band of dynamic watershed functionality, between the Escarpment and Georgian Bay, requires the Town's protection against continuing urban sprawl. Protection of the Watershed functions is the Town's most effective and efficient protection against flooding. There are many ways to accomplish this objective. Building new developments over Provincially Significant Wetlands is not one of them.

E. How does this proposal align with the Town's OP and Land Use and Development policies?

The following is the Legal description of the parcel as shown on Grey County Interactive Maps on May 26, 2022:

"Legal description: PL 529 PT LT 147,148 & 149:RP16R801 PT 1 TO 2 PART 4;SUBJ TO

EASEMENT OVER PARTS:6 & 7 PL 16R 3613

Property use: Seasonal/recreational dwelling

not located on water

Assessment: 1206000

Acres: 33.5533 (as mapped by Teranet, may differ from MPAC. See additional attributes for MPAC's assessed area)".

The Parcel, 372 Grey Road 21, is in the "Residential/Recreational (RRA) Land Use Area" of the Town, currently. The Town's OP 2016 clearly states that the **formula** for calculating Density in RRA Lands is:

"10 Units per Gross Hectare (and Gross Hectare is further defined as Hectares, net of Wetlands and Hazard Lands, in the Glossary to the Town's OP 2016), PLUS, 40% Open Space" (See the chart on page 70 of the Town's OP 2016).

The Owner's Agent has mistakenly used only the first part of the formula, "10 Units per Gross Hectare" and justified 4 Units in the East Block; the rest of the formula was overlooked.

Using the Town's OP 2016 formula, the approximate Density calculation is:

- [33.55 Acres) divided by (2.2 acres per Hectare = 15.25 Hectares, the area for the East and West Blocks, combined.
- About 80% is Wetland and Hazard Land, or about 12 Hectares (ie. must be left untrammelled).
- About 20%, therefore, can be Developed, or about 3 Hectares (@10 Units/ha=30 Units).
- The requirement for Wetland and Hazard Land exceeds the stated 40% parameter for Open Space. 80% is meant to be left open for Wetlands and Hazard Lands.
- Setbacks from watercourses and provincial significant natural features are documented in legislation and must be respected.

This leaves only a portion of the West Block (which is not a part of this application), and possibly the footprint of the demolished East Block building (1 building envelope, only), with Development potential if the Town agrees to Development on the full parcel and allows a new building on the footprint of the former single-family dwelling.

It doesn't matter what the revised OP will say in 2-years' time, or more, when the Official Plan Review and redrafting is scheduled to conclude. The Current OP 2016 prevails until the Council and County both approve a new one. Changes in either the OP or the governing Zoning By-Law are subject to public review.

Because there are two Blocks planned for this development, a Master Plan, and one more opportunity for public engagement, would reassure Council, and the citizens Council represents, that this opportunity will be managed in the interests of all stakeholders. This is a watershed moment

Summary:

- A. Much of 372 Grey Road 21 sits over a Provincially Significant Wetland and development there is discouraged by the Provincial Policy Statement (PPS): Setbacks from watercourses, significant woodlands and Provincially Significant Wetlands must also be protected, as legislated.
- B. The Town's Transportation Master Plan has not been completed and the effects of widening Grey Road 21 shortly have not been considered.
- C. 372 Grey Road 21 and the surrounding lands flood seasonally and intermittently. There is no Town Drainage Master Plan to mitigate these events on this property or in the as-built neighbourhood.

- D. The Town does not practice "Watershed-based Planning", yet, as described in legislation that the Province has drafted on the matter. Each of the three (3) sub-watersheds mentioned and the as-built areas adjacent to this property will be affected by any disruption in the dynamic watershed functions of the area, as a whole.
- E. The proposal is poorly aligned with the Provincial Policy Statement (PPS) and the Town's Official Plan. A Master plan for both segments of 372 Grey Road 2, and one more Public Meeting about the Master Plan, are required to understand and manage development in the area, wisely.

If the Town is to act on its Declaration of a Climate Crisis, this is the time to amplify the Town's OP mandates regarding "Watershed-based Planning". There will never be a better opportunity than the one before Council NOW to PROTECT the dynamic watershed functions in the narrow band of land between the Niagara Escarpment and Georgian Bay. The Province, Grey County and the Citizens of the Town are all waiting to see how we manage today's drainage and flooding challenges and, together with developers, pave a creative path into a more reliably sustainable future.

Conclusion:

This application is incomplete and premature. As such, it qualifies as a matter for a second full public review and consideration before coming before the County or Town Council for approval. The application clearly should be denied at this time.

Sincerely,
Lucy Richmond

PS For those who worry that the County Official Plan has been approved and we must comply, please know that Amendment #11 to Grey County's Official Plan has not yet been approved, to the best of my knowledge, and further amendments have been requested.

The Town's OP 2016 prevails until changes to it are approved. Changes are only to be made if they will better serve the Town, its citizens, and the lands they live on.

Conflicts can arise, between the Second-Tier Municipality (The Town) and its Upper-Tier Municipality (Grey County) in a two-tier municipal system such as ours. When decisions made by the upper-tier municipality do not serve the best interests of the Town, its citizens, and the lands they live on, the second-tier municipality (The Town) has recourse in Provincial Legislation.

END

Lucy J. Richmond

PLUS
ORIG.!

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June 26, 2022

Ms. Corrina Giles, Town Clerk, for distribution to:
Mayor Soever, Deputy Mayor Bordignon,
Councilors Abbott, Matrosovs, Sampson and Uram
CAO Everitt

Re: Open House 372 Grey County 21,
Request for By-Law Amendment, June 13, 2022
Further Comments

Dear Ms. Giles:

I attended the Open House regarding 372 Grey County; Request for by-Law Amendment, June 13, and, having heard the extreme extent of shortfalls in Municipal, County and Provincial infrastructures required to service this proposal, **I, hereby, formally withdraw my support for any Zoning By-Law amendment for this holding, for any reason, whatsoever** (including the building of any Attainable Housing units during the Town's housing crisis).

The municipality has a duty in legislation to serve the best interests of the Province, the Town, its Citizens, and the Lands where they live, work and play, as codified in Town's Official Plan and By-Laws. Two concerns regarding this request remain:

1. Provincial interests would not be served if the request were to be approved at this time because adequate infrastructure is not in place to support the proposal, nor is it planned. See: Attachment A1. **Provincial laws direct new development to settlement areas where infrastructure is in place or planned.**

2. The best interests of the Town, its Citizens and the Lands where they live work and play would not be best served, in the short or long term, if the request for re-zoning were to be approved at this time.

See: Attachment A2. **Only if the Zoning remains Development "D" Zone, can the Town, conserve and protect this holding, from seasonal and intermittent flooding and the continued loss of dynamic, natural, watershed functions, over time. The Town's Fill By-Law addresses this matter.**

There is too great an infrastructure gap (as reported at the June 13 Public Meeting) in this area of the Town, both regarding water/wastewater infrastructure, including the ability of the Municipality to provide adequate wastewater services (including sewage and drainage

systems), and regarding local transportation systems that are meant to integrate town, county, and provincial roads, trailways and cycle paths.

In the interim, until the missing infrastructure has been put in place, or is planned and "shovel-ready", and as more complete information is being gathered, **the granting of permissions, under the Town's "Fill" By-Law, for site alterations must be formally PROHIBITED.** This prohibition would include the accepting and/or removing of "fill" of any kind (earth, gravel, sand, tree-trunks, canopy, and ecosystems). Only if the Zoning remains Development "D" Zone, can such a permission be denied.

Please give these two matters your consideration before deciding about the request for Zoning By-Law Amendment for 372 Grey Road 19 that was proposed at the June 13, Open House.

Those who have commented, so far, in the public forum, as a matter of record, are not satisfied that adequate consideration has been given to all the factors that affect these and neighboring lands, nor are they satisfied, yet, that the proposal would be in the best interests of the province, the Town, residents and the highly functional, working, Watershed Ecosystems within which they live. Watershed Ecosystems can easily be enhanced and expanded by those who know how to do that task by employing the principles and techniques of sound, watershed-based planning. The watershed-based-planning act, for Ontario can help with that. (See: Building Better Communities and Conserving Watersheds Act, 2017, S.O. 2017, c. 23 - Bill 139)

Sincerely,
Lucy Richmond.

Attachment A

A1. Provincial laws direct new development to settlement areas where infrastructure is in place or planned.

- A. The Provincial Policy Statement 2020 (PPS): Section 1.1.1 g) page 7, states, "Healthy, liveable and safe communities are sustained by . . . ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs," , and, Part IV, page 6 . . . the PPS "directs development away from areas of natural and human-made hazards."
- B. The "Places to Grow Act 2005 - current": Purposes 1(b) To promote a rational and balanced approach to decisions about growth that . . .make efficient use of infrastructure"
- C. The Municipal Act: Municipalities, both the upper and lower tiers, have the authority, responsibility, and accountability for 11 Municipal Functions: "Transportation systems; public utilities (sewage treatment, collection of sanitary sewage, collection of storm water and other drainage from land, water production treatment and storage, water distribution); Drainage and flood control. . . "
- D. The Planning Act: Regarding approvals of plans of subdivision:
 "Regarding the authority for approval of certain planning matters, the Town's authority, under the Planning Act, Section 51, Subsections (5) and (6), the Act clearly states: . . .
 "Prescribed lower-tier municipality
 (6) If land is in a prescribed lower-tier municipality, the lower-tier municipality is the approval authority for the purposes of this section and section 51.1. 2002, c. 17, Sched. B, s. 19 (3)."

A2. Only if the Zoning remains Development "D" Zone, can the Town, protect these lands, from seasonal and intermittent flooding and the continued loss of their dynamic, natural, watershed functions, over time.

See: The Town of the Blue Mountains By-Law No. 2002-78, (the "Fill" By-Law) as amended.

The Municipality must serve the best interests of the Province, the County, the Town, its Citizens, and the Lands where they live, work and play. It would not be in the interests of the residents living near this holding, now or in the future, to grant this request until the infrastructure "gap" is filled. Only by maintaining the Zoning as Development "D" on this holding can we protect this holding until proper assessment of the as-built conditions and hydrodynamics are analyzed and considered in preparation for the adequate infrastructure plans that would follow.

The Municipality must prohibit the granting of any permit or permission that could allow **site alteration including the accepting and/or removing of "fill" of any kind (earth, gravel, sand, tree-trunks, canopy, and ecosystems, included) as defined under the Town's "Fill" By-Law.**

A change in the Zoning By-Law from "D" Development to anything else would make it possible for the proponent to ask for such permissions, by permit, and

therefore, to alter the existing grade of the land, and natural drainage patterns, before a Development Agreement has been struck between the Town and the Proponent. Such a request is PROHIBITED if the holding continues to be zoned Development "D". (See item 3.ii, below). Only if the Zoning remains Development D Zone, can such a permission be denied

Town of the Blue Mountains "Fill" By-Law

An Excerpt:

"Under section, 2. PROHIBITION

1. No person shall place or dump fill, or alter the existing grade of any land, except in accordance with the provisions of this By-law.
2. No person shall place, or dump, "fill" or alter the existing grade of any land that is defined as environmentally significant land.
3. No person shall place or dump fill, or alter the existing grade of any land, defined, and zoned as: . . .

(i) Hazard H Zone, Private Open Space OS2 Zone, Development D Zone, Deferred Development DD Zone and Holding h Zone by Zoning By-law No. 83-40 of the Corporation of the Township of Collingwood, as amended, or

(ii) Hazard H Zone, Development D Zone and Holding h Zone by Zoning By-law No. 10-77 of the Corporation of the Town of Thornbury, as amended."

No permit has been issued for this holding to the best of my knowledge, to date, under the Town's "Fill" By-Law. Nor shall any permit or permission be granted that would allow **site alteration including the accepting and/or removing of "fill" of any kind (earth, gravel, sand, tree-trunks, canopy, and ecosystems, included)** until:

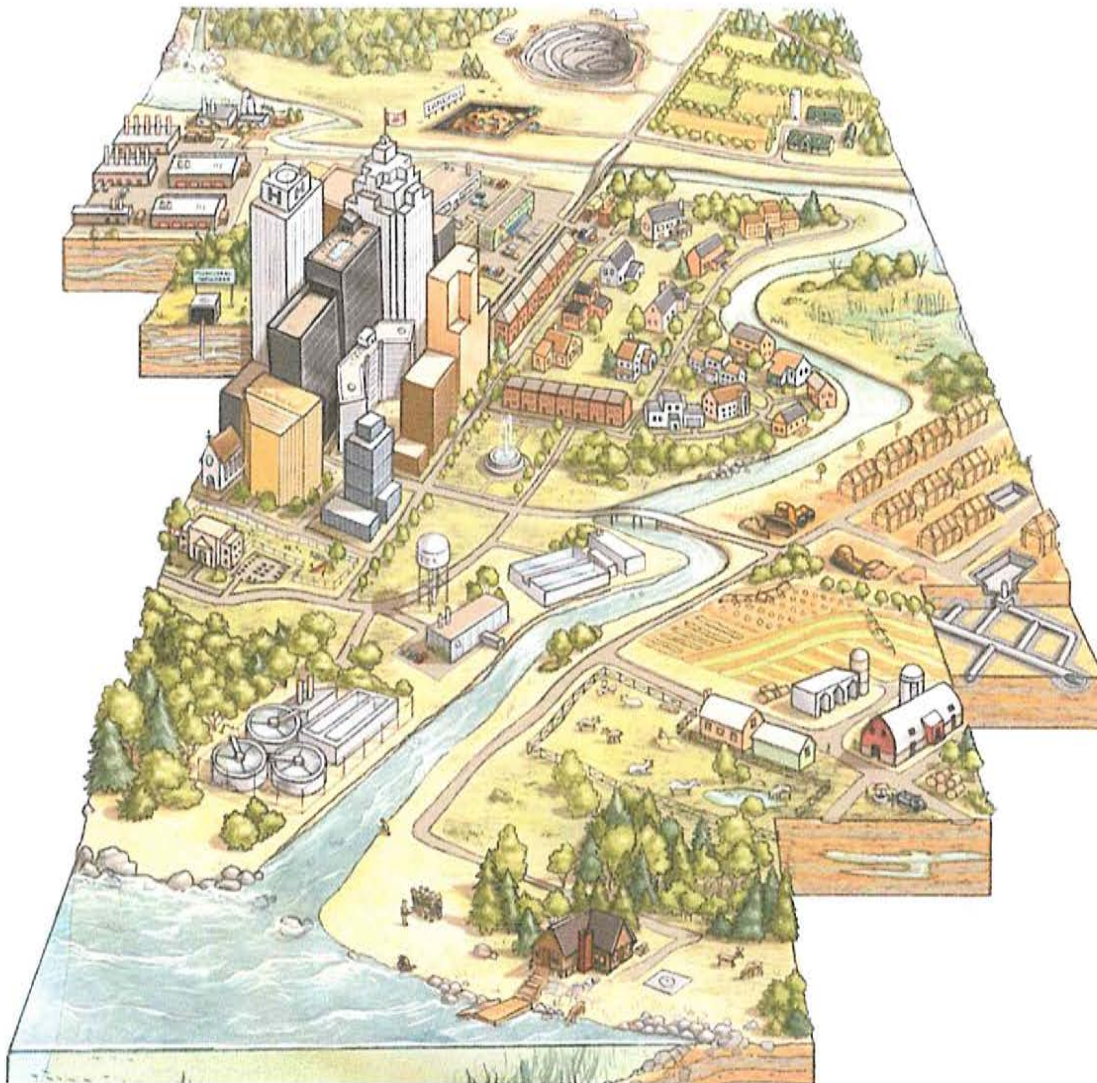
- I. It has been confirmed that no site alterations have occurred on the holding since June 13, 2022
- II. All missing/incomplete information requested at the Public Meeting has been received and duly circulated, and,
- III. Council has made their decision with regards to the request for Zoning By-Law amendment in connection with the proponent's submission of a complete Draft Master Plan the Town's approval.
- IV. The Master Plan has been approved.
- V. The missing infrastructure has been put in place or is planned and "shovel-ready".

In these ways, the Town can assure itself that all the environmentally significant features are protected, in the interim. Only if the Zoning remains Development "D" Zone, can such a permission be denied.

Attachment B: from "Conservation Ontario", the Ontario Conservation Authority is responsible for:

"Watershed Management, Development, Interference & Alteration Regulation" regarding, ". . . development & activities in or adjacent to river or stream valleys, Great Lakes and large inland lakes shorelines, watercourses, hazardous lands & wetlands".

"Everyone lives downstream."



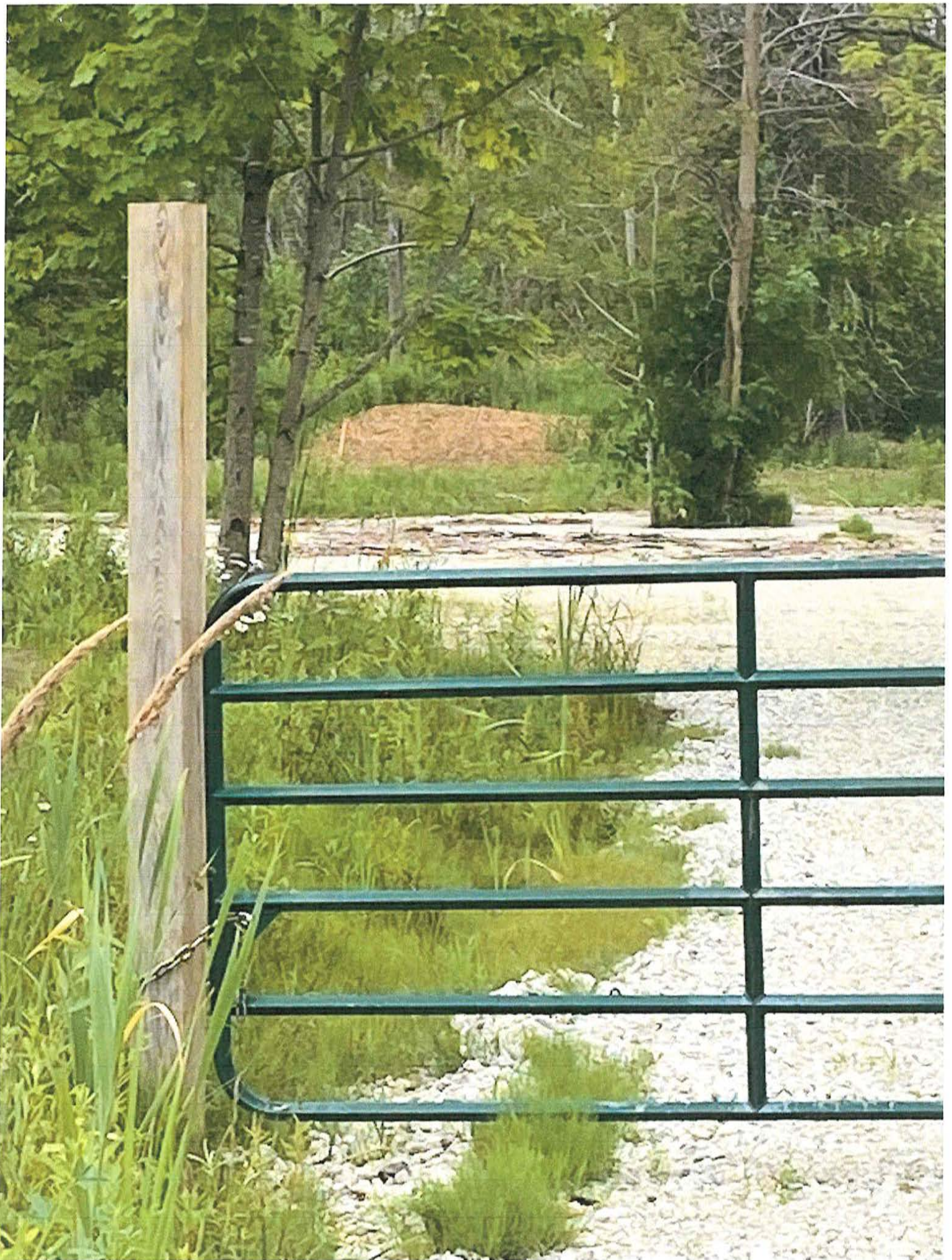
From Lucy Richmond ✓
Re: B.5-



SEPT 23, 2021



JUNE 4, 2022
SOLD



2023



Nov. 22, 2023

July 29, 2022

GSCA File: P22339

Town of the Blue Mountains
32 Mill Street, Box 310
Thornbury, ON
N0H 2P0

Sent via email: planning@thebluemountains.ca

Re: Application for Zoning By-law Amendment and Consent
Address: 372 Grey Road 21
Roll No: 424200000302300
Town of The Blue Mountains
Applicant: Rhemm Properties

Grey Sauble Conservation Authority (GSCA) has reviewed the subject application in accordance with our mandate and policies for Natural Hazards, and our advisory comments related to Natural Heritage and Water policies as per the Memorandum of Agreement with the Town of the Blue Mountains and relative to our policies for the implementation of Ontario Regulation 151/06. We offer the following comments.

Subject Proposal

The purpose of the subject proposal is to re-zone a portion of the subject lands from the Rural Residential (RUR) and Hazard (H) zones of the former Township of Collingwood Zoning By-law 83-40 to the Residential One (R1-1) zone of Town of The Blue Mountains Zoning By-law 2018-65. The effect of the application is to permit the development of the lands for four (4) single detached residential dwelling units, with four individual residential building lots proposed to be created through Consent Applications B04-2022, B05-2022, B06-2022, and B07-2022.

GSCA Regulations

The subject property is regulated under Ontario Regulation 151/06: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses. The regulated areas are related to the flooding and erosion potential associated with the watercourse and wetland features that are present on and adjacent to the subject lands. The regulated areas are generally indicated on the attached map. Permits will be required for any development on the subject property.

Under this regulation a permit is required from this office prior to the construction, reconstruction, erection or placing of a building or structure of any kind; any change to a building or structure that

would have the effect of altering the use or potential use of the building or structures, increasing the size of the building or structure, or increasing the number of dwelling units in the building or structure; site grading; or, the temporary or permanent placing, dumping or removal of any material originating on the site or elsewhere, if occurring within the regulated area. Also, a permit is required for interference with a wetland, and/or the straightening, changing, diverting or in any way interfering with an existing channel of a river, lake, creek stream or watercourse.

Provincial Policy Statement 2020

3.1 Natural Hazards

The natural hazards present on the subject lands include watercourse and wetland features. In support of a Master Drainage Plan for the Town of The Blue Mountains, draft existing conditions mapping was completed in October 2021 by Tatham Engineering which included mapping of the regulatory floodplain. The study shows substantial portions of the area proposed for development on the subject property within the regulatory floodplain. Development within a regulatory floodplain would not be supported by the GSCA.

GSCA has reviewed the servicing brief provided in support of the application which notes that “preliminary modelling results indicate the 100-year and Timmons storm water surface elevations for the adjacent is approximately 182.00 m and 182.17 m respectively” and notes that the existing ground elevations for the proposed lots is generally 182.00 m or higher. We note that the Site Development Plan included with the servicing brief shows many points in the proposed development area at existing elevations between 181.50 m and 182.00 m. The servicing brief proposes fill placement to elevate portions of the lot above the regulatory floodplain. Filling within a regulatory floodplain to accommodate new development would not be supported by the GSCA.

Given that new information is available which shows the majority of the proposed development area has the potential to be existing floodplain, a site specific floodplain study should be prepared to refine the floodplain mapping on site. The study would need to demonstrate that the subject property has suitable development area outside of the existing regulatory floodplain as filling within the regulatory floodplain to accommodate new development would not be supported. The GSCA is of the opinion that the application is not consistent with the section 3.1 policies of the PPS without a supportive floodplain study having been completed.

2.1 Natural Heritage

The natural heritage features on and adjacent to the subject lands include fish habitat, significant woodland as identified in the County of Grey OP, provincially significant Silver Creek Wetland Complex, unevaluated wetland, potential for significant wildlife habitat, and potential habitat for threatened or endangered species. An Environmental Impact Study was completed by BIRKS Natural Heritage Consultants, Inc., File No. 04-010-2021, dated March 2022. Through this study, the natural heritage features identified on and adjacent to the site included wetlands, significant woodlands, significant wildlife habitats, habitat for threatened and endangered species, and Townline Creek watercourse (fish habitat). We note the following based on our review:

- The study proposed a delineation of the existing wetland and a 30m setback from the wetland. The setback was identified to have been taken from the Grey County Official Plan. The GSCA is generally supportive of a 30m setback to the wetland.
- The study also supported a reduction in the setback for portions of the development. An “average” setback of 25.25m is shown following the encroachment; it is not clear how this average was provided although it appears to have been calculated using the distances shown in Figure 3. We would not consider these to be accurate distances as they are shown as straight line distances, where natural heritage setbacks are typically applied as buffers (as has been done with the mapped 30m setback). The GSCA is generally understanding of some reduction in the setback given the practicality of providing rectilinear lots, and of the justification provided that the disturbed portions of the lot are of limited ecological function. However, the rear lot line appears to have been derived from the westernmost point of the 30m setback which has not been clearly justified.
- Of specific concern is lot four: the majority the building envelope (as per zoning setbacks) is shown to be within the 30m setback. We understand that the minimum lot frontage requirements prevent the narrowing of the lots to reduce this encroachment, and as such we are of the opinion that this lot is not consistent with the section 2.1 policies of the PPS.
- The EIS provided specific recommendations related to erosion and sediment control; a detailed plan should be prepared which reflects the recommendations of the EIS.
- The EIS proposed an enhancement area to compensate for the reduction in the wetland setback. A detailed planting plan should be prepared by an ecologist to support the proposed development.
- The EIS proposed a permanent fence be constructed to ensure that the adjacent woodlands and wetland setback remain protected from future encroachment. Such a fence should be shown on a site plan.

The GSCA is generally accepting of the methodology and findings of the EIS but we are unable to accept the report at this time as the natural hazard constraints noted above are anticipated to limit development further than the natural heritage concerns, and the EIS is currently based on a development plan which may be altered by further hazard studies.

2.2 Water

An increase in imperviousness is expected following construction in the area proposed for severance. GSCA is generally supportive of the approach to stormwater management outlined in the servicing brief. We are of the understanding that a hydrogeological investigation is being conducted – this may have implications for development as the area is within the area of interference of the nearby wetland and development would need to remain above the water table. This can be resolved at a later date should the development proceed to the GSCA permitting stage, but we note that the proposed Underside of Footing elevations may not be supportable.

Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Plan

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

Recommendations

The proposed severances have not demonstrated consistency with PPS policies noted above, and GSCA staff are of the opinion that the applications should be deferred. We anticipate that the regulatory floodplain will be the primary constraint of development on the site. Should a site-specific flood plain study be provided which does support severances, the above noted natural heritage constraints should be considered. We note the following:

1. A site-specific floodplain study should be prepared to refine the floodplain mapping on site. To support severances, this study must demonstrate sufficient area for development outside of the existing regulatory floodplain without the requirement for infilling of the floodplain.
2. The EIS should clarify the methodology for determining the encroachment in wetland setback.
3. Lot four should be removed from the development proposal as it represents a significant encroachment into the wetland setback.
4. Detailed plans should be provided which outline the erosion and sediment control, enhancement planting and fencing recommendations of the EIS.

Should you have any further questions, please do not hesitate to contact the undersigned.

Regards,








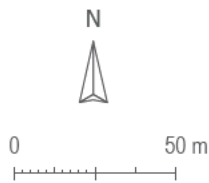
Jake Bousfield-Bastedo, Watershed Planner

c.c. Andrea Matrosovs, GSCA Director, Town of the Blue Mountains
John Rodgers, Rhemm Properties
Kristine Loft, Loft Planning

**Regulation of Development, Interference with Wetlands
and Alterations to Shorelines and Watercourses
(Ontario Regulation 151/06)**



-  Watercourses (Approx.)
-  Natural Hazard (Approx.)
-  Subject Parcel (Approx.)
-  Other Parcels (Approx.)
-  O. Reg 151/06 (Approx.)



GSCA Regulations Map
Zoning By-law Amendment and Consent
Address: 372 Grey Road 21
Roll No: 424200000302300
Town of The Blue Mountains
P22339

Friday, July 29, 2022

The included mapping has been compiled from various sources and is for information purposes only. By accepting this map you agree not to edit the map or disclaimer without the exclusive written permission of Grey Sauble Conservation. Produced by GSC with Data supplied under Licence by Members of the Ontario Geospatial Data Exchange. © Queen's Printer for Ontario and its licensors. [2021] May Not be Reproduced without Permission. THIS IS NOT A PLAN OF SURVEY. This mapping contains products of the South Western Ontario Orthophotography Project (SWOOP). They are the property of Grey Sauble Conservation Authority © 2021.

Projection: Universal Transverse Mercator - Zone 17 (N)
Datum: North American 1983 (mean for Canada)

From: planning@grey.ca
To: [Planning General](#)
Subject: County comments for P3165 Grey Road 21
Date: July 7, 2022 9:34:34 AM

County comments for P3165 Grey Road 21

Hello TBM,

Please see below for the County comments for Zoning application P3165 Grey Road 21 - Rhemm Properties Ltd.

The proposed application is to re-zone a portion of the subject lands from the Rural Residential (RUR) and Hazard (H) zones of the former Township of Collingwood Zoning By-law 83-40 to the Residential One (R1-1) zone of the Town of the Blue Mountains Zoning By-law 2018-65. The effect would be to permit the development of lands for four (4) single detached residential dwelling units, with four individual residential building lots proposed to be created through the consent process.

Schedule A of the County Official Plan is designates the subject lands as 'Recreation Resort Areas' and 'Provincially Significant Wetlands'. Section 3.8 (1) of the OP allows for residential development in areas that are fully serviced by municipal services. County Planning staff have no concerns regarding the the Recreation Resort Area designation.

Section 7.3.1 (2) of the OP states

No development or site alteration may occur within the adjacent lands of the Provincially Significant Wetlands and Significant Coastal Wetlands land use type unless it has been demonstrated through an environmental impact study, as per Section 7.11 of this Plan, that there will be no negative impacts on the natural features or their ecological functions.

Development or site alteration within the adjacent lands of the Provincially Significant Wetlands and Significant Coastal Wetlands land use type will require a permit from the appropriate conservation authority.

An EIS was complete as part of the justification for the proposed development. Several mitigation recommendations have been provided in the EIS including the recommendation of maintaining a 30 metre setback from the wetlands. County Planning staff recommend that all recommendations provided in EIS be implemented through this or future site plan process.

Appendix B also identifies the existence of 'significant woodlands' and 'other wetlands' on the subject property. Recommendations provided in

the EIS also address these natural heritage features.

County Transportation Services has reviewed the subject application and provided the following comments.

No objection to the zoning application. Separation of entrances does not meet County criteria of 100 m, that will require an exemption request to the Director of Transportation to obtain. The County Setback policy appears from the drawing to be in order.

Transportation Services requests a road widening and Entrance permit is required.

Provided that the Conservation Authority is satisfied with the EIS and Transportation Service requirements of a Road Widening and entrance permit are met, County Planning staff have no concerns.

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

Let us know if you have any questions.

Best,

Hiba Hussain

Planning & Development, Grey County, Owen Sound ON

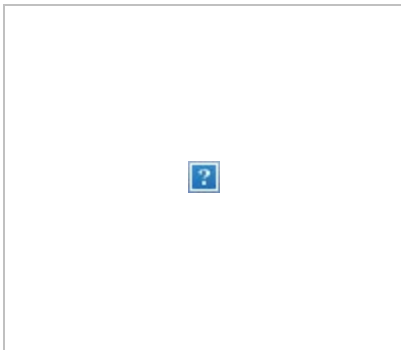
From: [Riel Warrilow](#)
To: [Planning General](#)
Subject: 372 Grey Road 21
Date: June 29, 2022 9:32:45 AM

Aanii and thank you for initiating consultation about this project.

The Saugeen Ojibway Nation does not support any further development of the Silver Creek Wetland complex without considerable mitigations.

Please note: We will respond to consultation requests in the order in which they are received. No response does not mean that SON does not require consultation on your proposal.

Riel Warrilow
Resources & Infrastructure Associate
T: (519)534-5507 ex 111



10129 Hwy 6
Georgian Bluffs, ON
N0H 2T0
saugeenojibwaynation.ca

From: [Peggy Slama](#)
To: [Jeremy Acres](#)
Cc: [Summer Valentine](#); [Heather McGinnity](#); [Allison Kershaw](#)
Subject: RE: 121088: 372 Grey Road 21 - Proposed Water Service Connections
Attachments: [image007.png](#)
[image009.png](#)
[image011.png](#)
[image013.png](#)
[image015.png](#)

Hi Jeremy,

I had an opportunity to discuss this with Summer and Heather. As you are well aware, the Town currently has a pause on development within the municipality of the Town of Collingwood and the approval of developments is only happening through exemptions to the Interim Control By-law, and granted to developments that have been evaluated through the municipalities newly adopted Servicing Capacity Allocation Policy. The Town has limited capacity to allocate until the completion of a water treatment plant expansion, which is planned to be complete end of 2025/early 2026.

Based on the restrictions currently in place related to development within the Town of Collingwood, we are not in a position to provide water to Town of the Blue Mountain properties at this time. The Town would be willing to support connections to our water system following the water treatment plant expansion, scheduled for 2026. Alternatively, if Town of the Blue Mountains was in agreement, the lots could be connected to the Collingwood system and supported from the water allocation provided to TBM through our supply contract (i.e. Collingwood would minus the allocated SDUs from the 1,250m³/d allocated to TBM).

I hope this provides you with the information you and your client require for your consent meeting.
Peggy

From: Jeremy Acres [mailto:jacres@tathameng.com]
Sent: May 17, 2022 4:07 PM
To: Peggy Slama <pslama@collingwood.ca>
Subject: RE: 121088: 372 Grey Road 21 - Proposed Water Service Connections

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Hi Peggy,

Attached is aerial imagery from Grey County Maps showing the eastern portion of 372 Grey 21 highlighted in blue and the proposed four lots highlighted in red. The remainder of the property is wetland and not suitable for development.

Let me know if you require anything else.

Thanks,

Jeremy



Jeremy Acres C.E.T.
Project Manager

jacres@tathameng.com T 705-444-2565 x2002 C 519-372-4884
115 Sandford Fleming Drive, Suite 200, Collingwood, Ontario L9Y 5A6

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From: Peggy Slama <pslama@collingwood.ca>
Sent: May 17, 2022 3:52 PM
To: Jeremy Acres <jacres@tathameng.com>
Subject: RE: 121088: 372 Grey Road 21 - Proposed Water Service Connections

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Hi Jeremy, I need more perspective on this please. Can you put a dot on a google map for me so I understand the location of the proposed severances within the larger lot?
Thanks Peggy

From: Jeremy Acres [<mailto:jacres@tathameng.com>]
Sent: May 17, 2022 3:09 PM
To: Peggy Slama <pslama@collingwood.ca>
Cc: John Rodgers <john@rhemmproperties.com>; Kristine Loft - Loft Planning Inc. (kristine@loftplanning.com) <kristine@loftplanning.com>
Subject: 121088: 372 Grey Road 21 - Proposed Water Service Connections

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Good afternoon Peggy,

As discussed, we have a client who has purchased the property at 372 Grey Road 21 in the Town of The Blue Mountains, with the intention to sever 4 residential lots fronting Grey Road 21 for single detached dwelling units. See attached plan.

Prior to Town of The Blue Mountains staff preparing a report for the Consent Application, they would like more clarity on how each lot could be provided with a water service. The Town of The Blue Mountain's preference would be to have the lots serviced from the Town of Collingwood's water system. There is currently one service from Collingwood's system to this property now; therefore, three additional (new) service connections would be required.

Are you able to confirm if new connections to these lots from Collingwood's water system are possible given the ICBL measures that are in place, and/or if you foresee any issues with timing? The owner is hoping to have the lots severed and serviced this year.

Happy to discuss at your convenience.

Sincerely,

Jeremy Acres, C.E.T.
Project Manager

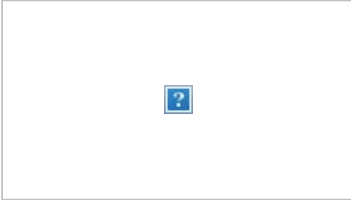
Tatham Engineering Limited

115 Sandford Fleming Drive, Suite 200 | Collingwood | Ontario | L9Y 5A6

T 705-444-2565 x2002 | C 519-372-4884 | jacres@tathameng.com | tathameng.com



Enhancing our communities



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2. It is agreed that only those hard copy documents bearing the professional seal and signature of the Tatham Engineering Limited project engineer will govern the work of the project. In the event of any dispute concerning an electronic document, the appropriately dated hard copy will be the document used by Tatham Engineering Limited to govern and resolve the dispute.

From: [Krista Royal](#)
To: [REDACTED]
Cc: [council](#); [SMT](#); [Town Clerk](#); [Trevor Houghton](#); [Travis Sandberg](#); [Karen Long](#)
Subject: FW: P3165 - 372 Grey Road 21 (Public Meeting, June 13, 2022)
Date: June 13, 2022 11:47:58 AM
Attachments: [image001.png](#)
[image003.png](#)
[image004.png](#)
Importance: High

Good Morning Mr. Bristow:

I acknowledge receipt of your email with attached comments regarding today's June 13th Public meeting. By way of copy, I have forwarded the same to Council for information and consideration, and confirm that your comments will be included in the record of the public meetings, and attached to a followup staff report.

Kind Regards,



Krista Royal, Dipl. M.A.

Deputy Clerk

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

Tel: 519-599-3131 ext. 237 | Fax: 519-599-7723

Email: kroyal@thebluemountains.ca | Website: www.thebluemountains.ca

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

From: Corrina Giles <cgiles@thebluemountains.ca>
Sent: June 13, 2022 10:46 AM
To: Krista Royal <kroyal@thebluemountains.ca>
Subject: FW: P3165 - 372 Grey Road 21 (Public Meeting, June 13, 2022)
Importance: High

Please acknowledge receipt of this and circulate to council and staff for information as it relates to today's Public meeting. Thanks



Corrina Giles, CMO

Town Clerk

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

Tel: 519-599-3131 ext. 232 | Fax: 519-599-7723

Email: cgiles@thebluemountains.ca | Website: www.thebluemountains.ca

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

From: Duncan Bristow [REDACTED]
Sent: Monday, June 13, 2022 10:44 AM
To: Town Clerk <townclerk@thebluemountains.ca>
Cc: George & Heather Powell [REDACTED]; Chris Mifflin [REDACTED]
Norm Wingrove [REDACTED]; [REDACTED]; Carl Michener
[REDACTED]
Subject: RE: P3165 - 372 Grey Road 21 (Public Meeting, June 13, 2022)

Hi Corrina, I'm writing this note on behalf of the Blue Mountain Watershed Trust regarding the proposed development at 372 Grey Rd. 21. We have a couple of questions for today's meeting:

1. Does this development maintain the minimum required buffer to the nearby Provincially Significant Wetland?
2. There is typically flooding in this area (Town Line Creek), and we're concerned about maintaining the function of the watershed and ecosystem. Two of the proposed properties are directly impacting a wetland designated area (see attached map). Has there been or will there be an assessment with respect to the impact of this development on the hydrologic function of this wetland area?

Thanks for your consideration:

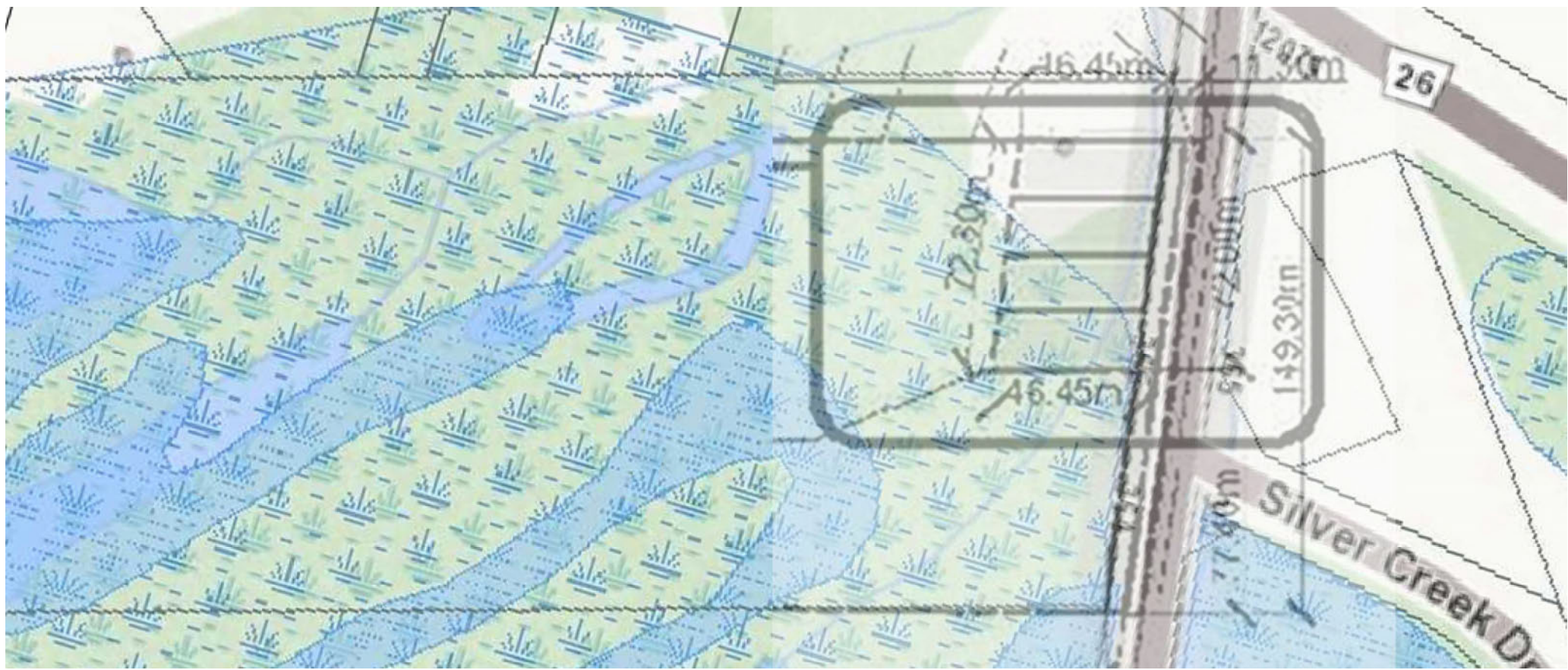
Duncan Bristow (Board Member)
Blue Mountain Watershed Trust Foundation

PS - the attached map is one I created by overlaying the proposed development (taken from the public meeting notice) onto a provincial heritage map ([Make a natural heritage area map | ontario.ca](http://www.mnr.gov.on.ca/make_a_natural_heritage_area_map_ontario.ca)) which shows the PSW (blue) and other wetland features (light green). The development is semi-transparent to show the wetland features beneath it). This overlaid map is an approximation only and should be used as such.

[Make a natural heritage area map | ontario.ca](#)

Make a map of some of Ontario's natural heritage areas. Make a natural heritage map now

www.ontario.ca



From: Pamela Spence

██████████, The Blue Mountains ██████████

To: Planning and Development Services – Attn Travis Sandberg

Town of the Blue Mountains

Date: June 10, 2022

RE: 372 Grey Rd 21, The Blue Mountains – Application for Zoning By-law Amendment

Comments for Public Meeting June 13, 2022

1) Public meeting is Premature

As of June 1, 2022 there were no agency comments on file with the Town. GSCA or NVCA need to do a review of the EIS and provide comments or recommendations which are not on file. Secondly, the MTO must give driveway permits for this proposal and their position is not known. Furthermore, there is talk of a roundabout at Grey Rd 21 and Hwy 26 therefore traffic/turning conflicts need to be assessed and there is not traffic study on file.

2) EIS

The EIS is poorly done. Due to its proximity to Silver Creek wetland which is provincially significant, the environmental assessment should be done for 120m from the boundary of the wetland. There is no hydrological study in the EIS, and the study area is not correct.

Figure 2 in the EIS is inadequate. The information is unclear there is no explanation of yellow line, watershed boundary or forest count/area

The Significant Woodland is recognized by EIS in the body of the report but no mapping has been done for the 3.5 ha identified

The source for boundaries shown on Figure 3 is not substantiated. Key Natural Heritage Features are not shown on Fig 3 so overlap is indeterminate

The 30m setback from watercourses and wetlands, which is required in the Official Plan Section C2, could be maintained if lots were not so deep. Lot 4 is almost entirely in setback area. The average setback number is not relevant and probably does not even include the intrusion into Lot #4.

Setback enhancement area ownership is not clear and the zoning for that enhancement area needs to be clarified.

Mitigation measures offered pertain only to construction time period; long term measures need to be outlined.

3) Tatham Report

- Speaks to full services yet EIS speaks of septic services so EIS misinformed
- Lots of historical flooding in this proximity not identified/addressed in this report
- MTO permit required but no dialogue prior to or since March 15 2022

4) Planning Justification Report

- Does not conform to PPS as it is within the 120m PSW limits without better EIS and proper understanding of hydrological/drainage consequences of house location
- Misquotes the EIS

- Can not be compliant with County Official Plan til GSCA signs off and entrance permit granted
 - Sec. 4.4 is miscalculated – area being rezoned is only the 4 lots which is 1/3 of Hectare and therefore 3.3 units are permitted not 10
 - Does not conform to Town OP as it does not conform to 30m setback, the EIS does not definitively address natural heritage features or protection
 - Seemingly too close to proposed turning circle to be built at Hwy 26 and Grey Rd 21
- 5) TBM Zoning By-law
- Lots are massively larger than standards for R-1; lot size reduction could accommodate setback measures and still be generous and meet R-1 standards
 - Zone designation needed for proposed enhancement area with clarity of ownership and easement to Town
 - Is enhancement area in lieu of parkland dedication/payment or is trail?
 - The footprint shown on the Consent Sketch 2 is over 4000 sq ft – another monster home
 - Such uniformity is boring; could be staggered and permit better visibility entering onto busy County Rd.

Pamela Spence

June 10, 2022

From: Pamela Spence

[REDACTED]

To: Planning and Development Services – Attn Travis Sandberg
Town of the Blue Mountains

Date: July 22, 2022

RE: 372 Grey Rd 21, The Blue Mountains – Application for Zoning By-law Amendment

Comments following Public Meeting June 13, 2022

1) Public meeting is Premature

There were no comments available ahead of or at the meeting from GSCA, MTO or other agencies which are directly impacted by this proposal. Furthermore, the response came back that there is no water or sewer to the sight now or in the foreseeable future.

This application is premature and must be turned down.

2) EIS

The comments from Ms. Loft to my question was that the diagram she referenced was in the EIS. I have perused it several times and do not find her illustration used in her presentation.

I do note that the most southerly lot is almost entirely in the setback allowance, there is no math illustrating how the “average” calculation was made and there is no hydrological report.

Water monitoring informs a hydrological study but does not constitute the requirement and no further study was promised.

The EIS is poorly done. Significant Woodland areas and Key Natural heritage features are not sufficiently shown. Silver Creek wetland is inadequately research.

Because this area is in the Silver Creek wetland which is provincially significant proposal should be turned down.

3) Planning and Zoning Problems

Lots are massively larger than standards for R-1; lot size reduction could accommodate setback measures and still be generous and meet R-1 standards. The footprint shown on the Consent Sketch 2 is over 4000 sq ft – we do not need more monster homes – furthermore, the uniformity is boring. The lots could be staggered which would permit better visibility entering onto busy County Rd 21.

The 30m setback from watercourses and wetlands, which is required in the Official Plan Section C2 is not maintained because the lots are so deep. Lot 4 is almost entirely in setback area. The average setback number is not relevant and probably does not even include the intrusion into Lot #4.

Ownership of the setback enhancement area is not clear and the zoning for that enhancement area is not defined.

Finally, the matter of illegal fill on the site to alter the hydrology of the site, affect the provincially significant wetland is very concerning. If illegal the owner should have to remove it and be fined. At a minimum it should be stopped until such matters as compliance and reparation to fill by-laws are met, water and sewer are available and comments from other agencies are received.

This application should be stopped and not waste any more Council and staff time, as it should not be permitted in a Provincially Significant Wetland at all!!!

Thank you for considering these comments.

Pamela Spence

July 22, 2022

From: [REDACTED]
To: [REDACTED]; [Ruth Prince](#); [Ryan R. Gibbons](#); [Sarah Traynor](#); [Shawn Carey](#); [Shawn Everitt](#); [Tim Hendry](#); [Will Thomson](#); [Trevor Houghton](#); [Karen Long](#); [Travis Sandberg](#); [Krista Royal](#); [Kyra Dunlop](#)
Subject: RE: P3165 372 Grey 21 Zoning Amendment
Date: May 31, 2022 11:37:02 AM
Attachments: [image001.png](#)
[image002.png](#)

Good morning Mr. Kilby,

I acknowledge receipt of your comments in response to the June 13 [Public Meeting Re: 372 Grey Road 21](#) and confirm I have forwarded the same to Council for information and consideration. Your comments will be included in the record of the June 13 Public Meeting and attached to a followup staff report regarding this matter.

The Public Meeting will be livestreamed on the Town's website via the link below, and the recording of the meeting is posted to the website following the meeting.

[Council Meeting Livestreaming](#)

Kind regards,



Corrina Giles, CMO

Town Clerk

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

Tel: 519-599-3131 ext. 232 | Fax: 519-599-7723

Email: cgiles@thebluemountains.ca | Website: www.thebluemountains.ca

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

-----Original Message-----

From: Martin Kilby [REDACTED]
Sent: May 31, 2022 11:20 AM
To: Town Clerk <townclerk@thebluemountains.ca>
Cc: Sandee Roberts [REDACTED]
Subject: P3165 372 Grey 21 Zoning Amendment

My name is Martin Kilby. I am an owner that abuts on to the subject property along Timmons St.

I do not object to the proposed plan to change the zoning to create the smaller building lots along Grey 21.

I am however, concerned that the entire balance of the 50 acre property would be changed

to R1 thus eliminating the Hazard portion that abuts many of the property owners along Timmons street. These hazard portions are a haven for deer and ducks and turtles. It is typically very swampy for most of the year.

Will the effect of removing the Hazard zoning and replacing it with R-1 along the whole of the property create a window of opportunity to future development of these lands from the other abutting land owner to south?

Is it not possible to maintain the H zoning in those portions if it is not the owner's intention to ever develop?

A future owner could also just create an access road off of Timmons St. With R-1 zoning on that acreage, the possibilities become financially feasible.

In my opinion, such a drastic change would be unwelcome to neighbouring owners who purchased along Timmons St with the understanding that there was significant wetland areas that would prevent any future development.

I would support maintaining the H zoned areas and protect our wetlands and grant the owner the R-1 to develop as proposed with this Zoning amendment.

Thank you for sharing my concerns at this public meeting.

Martin Kilby



Blue Mountains

Lucy J. Richmond

[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

May 26, 2022

The Town of the Blue Mountains:

Mayor Soever, Deputy Mayor Bordignon;
Councilors'; Abbotts, Hope, Matrosovs, Uram; and,
CAO Everitt; Director of Planning and Development, Planning Department.
c/o Ms. Corrina Giles, Town Clerk

Dear Ms. Giles:

Re: Notice of Public Meeting - June 13, 2022,
[Application for Zoning By-law Amendment - 372 Grey Road 21](#)

The purpose of this letter is to provide, to the best of my ability, comprehensive information about how this property relates to the neighborhood. The letter is addressed to the Town of the Blue Mountains for distribution by you, Madame Clerk. I also request that the content of this letter be included in the public record for this matter which will come before the Public Meeting to be held on June 13, 2022, at 1:00 pm, in Hybrid format. Hopefully, the information will serve as a foundation for review, discussion, and informed decision-making on the part of all stakeholders with regards to this matter.

The Full Analysis can be found on pages 3 to 8 of this letter. It will illustrate the following:

- A. Much of 372 Grey Road 21 sits over a Provincially Significant Wetland and development there is discouraged by the Provincial Policy Statement (PPS): Setbacks from watercourses, significant woodlands and Provincially Significant Wetlands must also be protected, as legislated.
- B. The Town's Transportation Master Plan has not been completed and the effects of widening Grey Road 21 in the near future have not been considered.
- C. 372 Grey Road 21 and the surrounding lands flood seasonally and intermittently. There is no Town Drainage Master Plan to mitigate these events on this property or on the as-built neighbourhood.
- D. The Town does not practice "Watershed-based Planning", yet, as described in legislation that has been drafted by the Province on the matter. Each of the three (3) sub-watersheds mentioned and the as-built areas adjacent to this property will be affected by any disruption in the dynamic watershed functions of the area, as a whole.
- E. The proposal is poorly aligned with the Provincial Policy Statement (PPS) and the Town's Official Plan. A Master plan for both segments of 372 Grey Road 2, and one more Public Meeting about the Master Plan, is required in order to understand and manage development in the area, wisely.

If the Town is to act on its Declaration of a Climate Crisis, this is the time to amplify the Town's OP mandates regarding "Watershed-based Planning". There will never be a better opportunity than the one

before Council NOW to PROTECT the dynamic watershed functions in the narrow band of land between the Niagara Escarpment and Georgian Bay, two important Biospheres recognized globally and designated by the United Nations. The Province, Grey County and the Citizens of the Town are all waiting to see how we manage today's drainage and flooding challenges and, together with developers, pave a creative path into a more reliably sustainable future.

Conclusion:

This application is incomplete and pre-mature. As such, it qualifies as a matter for a second full public review and consideration before coming before County or Town Council for approval. The application is to be denied at this time.

Sincerely,
Lucy Richmond

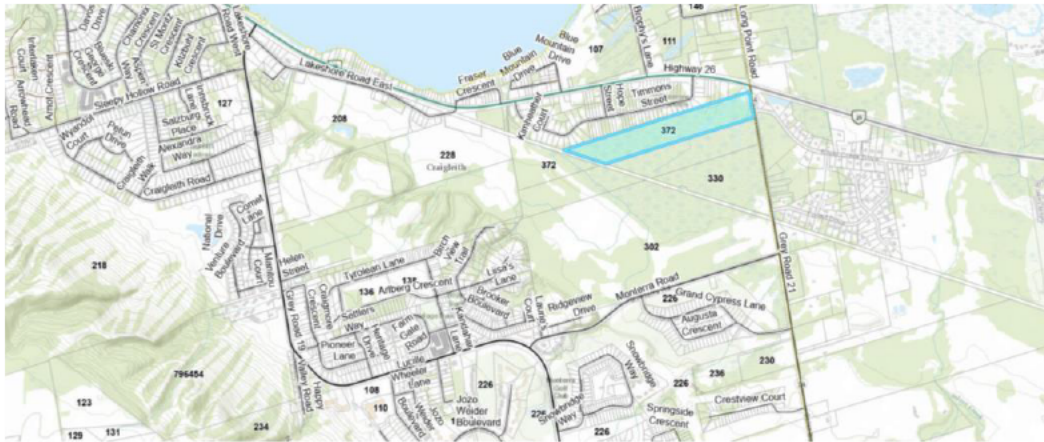
PS For those who worry that the County Official Plan has been approved and we must comply, please know that Amendment #11 to Grey County's Official Plan has not yet been approved, to the best of my knowledge, and further amendments have been requested.

The Town's OP 2016 prevails until changes to it are approved. Changes are only to be made if they will better serve the Town, its citizens, and the lands they live on.

When conflicts arise, we, as citizens of the Second-Tier Municipality have recourse, in Provincial Legislation, if the Town's Council has not approved activities that are against the best interests of the Town, its citizens and the lands they live on.

FULL ANALYSIS OF THE APPLICATION FOR ZONING BY-LAW AMENDMENT - 372 GREY ROAD 21

- A. The map, below, shows the location of 372 Grey Road 21 in 2 segments. The East Block (highlighted) is the subject property. The West Block is also identified as Municipal Number 372 and located just to the south-west. The Georgian Trail dissects the parcel. (Zoom to 500% if you need to expand the image.) Only the East Block is considered in the proponents' application at this time.



- B. The Roads Infrastructure of the Town is being addressed in the Blue Mountains Transportation Master Plan which is under-way but not complete.

It is important to note that Grey Road 21 borders the property on its East side. The County will be widening this roadway soon to accommodate heavy use. The exact location and width of the County's Right-of-Way could come forward as an integral part of the Town's Transportation Master Plan, in due course, but this information is not yet available.

There is no access to the West Block except by the Georgian Trail which is shown as a straight path between the East Block and the West Block of the parcel identified as 372.

The Grey Road 21 Right-of-Way "future design" needs to be considered before the development is approved and before any Official Plan (OP) or By-Law amendments are granted. because the infrastructure is simply not in place. The Provincial Policy Paper (PPS) directs new development to areas where infrastructure is in place or planned. An idea is not a plan.

- C. How WET is 372 Grey Road 21?

The darker blue areas shown below are identified, by the province, as Provincially Significant Wetlands (PSW). When you zoom in to 500%, you can also see the blue lines that represent water courses. The light turquoise area is designated by the Grey Sauble Conservation Authority (GSCA) as a "Meander". The original dwelling was located within the meander at the far northeastern corner of the property. Note: it was not built in the PSW.



The area is inundated intermittently and seasonally.

The large, pale blue dip along the top of the map is Georgian Bay. The Blue Mountain Village Ski Runs can be seen in the southwestern quarter of the map. At the narrowest part, the distance between the Escarpment and the Bay is about 4 kilometers - a good hike. Both Georgian Bay and the Niagara Escarpment are United Nations designated Biospheres.

Below, please find 2 photos of the property taken in April of 2019, when the MNR was supervising environmental clean-up of the illegally dumped construction materials and rusting equipment on the land. The authority to clean-up was designated to the Ministry by the Town under the Town's active, "Fill" By-Law as it was deemed too big a job for the Town to clean up with the equipment the Town had at the time. The property had been listed For Sale since before 2014.

Note the pools of water.



After this MNR clean-up the property was sold, in 2021.

This third photo shows the entry driveway where it connects to Grey Road 21, looking westward, into the property. It was taken just after the extreme rain event in September of 2021. The County roadside, and the driveway in front of and behind the gate, are impassably flooded. The new owners propose continuing to use this property access point.



The Town's pending Master Drainage Plan could mitigate some of the many drainage problems in this area of the Town. They have been documented in the Town in; Staff Report CSOPS.22.039, Drainage Master Plan PIC 1 Follow-up. The Plan has not been completed, yet.

D. Watersheds will be affected.

The next map shows the boundary of the Townline Creek Sub-watershed as mapped out by the GSCA (the more intensely blue area within the outline). The property lies just below the Timmins Street Development.



The Townline Creek Sub-Watershed is a highly functional, dynamic component of the Blue Mountains Watershed System that supports the Silver Creek Sub-watershed to the East, and the Camperdown/Craigleith Sub-watershed to the West. The Townline Creek Sub-watershed straddles Grey Road 21 between Highway #26 and Monterra Road. Monterra Road's east end was ravaged by floods in the extreme water event of 2021. Cold-water fish use the ditches of the road as watercourses, spring, and fall, in their life-cycle migrations to and from the Bay and their spawning grounds.

Watershed systems and their ecosystems are irreplaceable. Their Trees and other green flora absorb huge amounts of water and carbon-dioxide and release copious amounts of these elements to the atmosphere in the form of purified water and oxygen for the use of all living things. Traditional development and construction methods remove all the vegetation and topsoil covering the parcels to be developed and attempt to replace this functionality with inferior infrastructure systems in imitation of the real thing. Even the small amount of new development in the proposal under discussion in this letter will significantly disrupt the natural drainage systems in the area. The PPS advises those who would build new developments in PSW's be prohibited from doing so. Imagine being an owner of a new home, here, only to find out, too late, that it had been built in an area that floods seasonally, and intermittently!

The narrow band of dynamic watershed functionality, between the Escarpment and Georgian Bay, requires the Town's protection against continuing urban sprawl. Protection of the Watershed functions is the Town's most effective and efficient protection against flooding. There are many ways to accomplish this objective. Building new developments over Provincially Significant Wetlands is not one of them.

E. How does this proposal align with the Town's OP and Land Use and Development policies?

The following is the Legal description of the parcel as shown on Grey County Interactive Maps on May 26, 2022:

"Legal description: PL 529 PT LT 147,148 & 149:RP16R801 PT 1 TO 2 PART 4;SUBJ TO EASEMENT OVER PARTS:6 & 7 PL 16R 3613
Property use: Seasonal/recreational dwelling
not located on water
Assessment: 1206000
Acres: 33.5533 (as mapped by Teranet, may differ from MPAC. See additional attributes for MPAC's assessed area)".

The Parcel, 372 Grey Road 21, is in the "Residential/Recreational (RRA) Land Use Area" of the Town, currently. The Town's OP 2016 clearly states that the **formula** for calculating Density in RRA Lands is:

"10 Units per Gross Hectare (and Gross Hectare is further defined as: Hectares, net of Wetlands and Hazard Lands, in the Glossary to the Town's OP 2016), PLUS, 40% Open Space"
(See the chart on page 70 of the Town's OP 2016).

The Owner's Agent has mistakenly used only the first part of the formula, "10 Units per Gross Hectare" and justified 4 Units in the East Block; the rest of the formula was overlooked.

Using the Town's OP 2016 formula, the approximate Density calculation is:

- [33.55 Acres) divided by (2.2 acres per Hectare = 15.25 Hectares, the area for the East and West Blocks, combined).
- About 80% is Wetland and Hazard Land, or about 12 Hectares (ie. must be left untrammelled).
- About 20%, therefore, can be Developed, or about 3 Hectares (@10 Units/ha=30 Units).
- Requirement for Wetland and Hazard Land exceeds the stated 40% parameter for Open Space. 80% is meant to be left open for Wetlands and Hazard Lands.
- Setbacks from watercourses and Provincially Significant natural features are documented in legislation and must be respected.

This leaves only a portion of the West Block (which is not a part of this application), and possibly the footprint of the demolished East Block building (1 building envelope, only), with Development potential if the Town agrees to Development on the full parcel and allows a new building on the footprint of the former single-family dwelling.

It doesn't matter what the revised OP will say in 2-years' time, or more, when the Official Plan Review and redrafting is scheduled to conclude. The Current OP 2016 prevails until Council and County both approve a new one. Changes in either the OP or the governing Zoning By-Law are subject to public review.

Because there are two Blocks planned for this development, a Master Plan, and one more opportunity for public engagement, would re-assure Council, and the citizens Council represents, that this opportunity will be managed in the interests of all stakeholders. This is a watershed moment

Summary:

- A. Much of 372 Grey Road 21 sits over a Provincially Significant Wetland and development there is discouraged by the Provincial Policy Statement (PPS): Setbacks from watercourses, significant woodlands and Provincially Significant Wetlands must also be protected, as legislated.
- B. The Town's Transportation Master Plan has not been completed and the effects of widening Grey Road 21 in the near future have not been considered.
- C. 372 Grey Road 21 and the surrounding lands flood seasonally and intermittently. There is no Town Drainage Master Plan to mitigate these events on this property or on the as-built neighbourhood.
- D. The Town does not practice "Watershed-based Planning", yet, as described in legislation that has been drafted by the Province on the matter. Each of the three (3) sub-watersheds mentioned and the as-built areas adjacent to this property will be affected by any disruption in the dynamic watershed functions of the area, as a whole.
- E. The proposal is poorly aligned with the Provincial Policy Statement (PPS) and the Town's Official Plan. A Master plan for both segments of 372 Grey Road 2, and one more Public Meeting about the Master Plan, is required in order to understand and manage development in the area, wisely.

If the Town is to act on its Declaration of a Climate Crisis, this is the time to amplify the Town's OP mandates regarding "Watershed-based Planning". There will never be a better opportunity than the one before Council NOW to PROTECT the dynamic watershed functions in the narrow band of land between the Niagara Escarpment and Georgian Bay. The Province, Grey County and the Citizens of the Town are all waiting to see how we manage today's drainage and flooding challenges and, together with developers, pave a creative path into a more reliably sustainable future.

Conclusion:

This application is incomplete and pre-mature. As such it qualifies as a matter for a second full public review and consideration before coming before County or Town Council for approval. The application is to be denied at this time.

Sincerely,
Lucy Richmond

PS For those who worry that the County Official Plan has been approved and we must comply, please know that Amendment #11 to Grey County's Official Plan has not yet been approved, to the best of my knowledge, and further amendments have been requested.

The Town's OP 2016 prevails until changes to it are approved. Changes are only to be made if they will better serve the Town, its citizens, and the lands they live on.

When conflicts arise, we, as citizens of the Second-Tier Municipality have recourse, in Provincial Legislation, if the Town's Council has not approved activities that are against the best interests of the Town, its citizens and the lands they live on.

END

Lucy J. Richmond

phone: [REDACTED]

e-mail: [REDACTED]

June 26, 2022

Ms. Corrina Giles, Town Clerk, for distribution to:
 Mayor Soever, Deputy Mayor Bordignon,
 Councilors Abbott, Matrosovs, Sampson and Uram
 CAO Everitt

Re: Open House 372 Grey County 21,
 Request for By-Law Amendment, June 13, 2022
 Further Comments

Dear Ms. Giles:

I attended the Open House regarding 372 Grey County; Request for by-Law Amendment, June 13, and, having heard the extreme extent of shortfalls in Municipal, County and Provincial infrastructures required to service this proposal, **I, hereby, formally withdraw my support for any Zoning By-Law amendment for this holding, for any reason, whatsoever** (including the building of any Attainable Housing units during the Town's housing crisis).

The municipality has a duty in legislation to serve the best interests of the Province, the Town, its Citizens, and the Lands where they live, work and play, as codified in Town's Official Plan and By-Laws. Two concerns regarding this request remain:

1. Provincial interests would not be served if the request were to be approved at this time because adequate infrastructure is not in place to support the proposal, nor is it planned. See: Attachment A1. **Provincial laws direct new development to settlement areas where infrastructure is in place or planned.**
2. The best interests of the Town, it's Citizens and the Lands where they live work and play would not be best served, in the short or long term, if the request for re-zoning were to be approved at this time. See: Attachment A2. **Only if the Zoning remains Development "D" Zone, can the Town, conserve and protect this holding, from seasonal and intermittent flooding and the continued loss of dynamic, natural, watershed functions, over time. The Town's Fill By-Law addresses this matter.**

There is too great an infrastructure gap (as reported at the June 13 Public Meeting) in this area of the Town, both regarding water/wastewater infrastructure, including the ability of the Municipality to provide adequate wastewater services (including sewage and drainage

systems), and regarding local transportation systems that are meant to integrate town, county, and provincial roads, railways and cycle paths.

In the interim, until the missing infrastructure has been put in place, or is planned and "shovel-ready", and as more complete information is being gathered, **the granting of permissions, under the Town's "Fill" By-Law, for site alterations must be formally PROHIBITED.** This prohibition would include the accepting and/or removing of "fill" of any kind (earth, gravel, sand, tree-trunks, canopy, and ecosystems. Only if the Zoning remains Development "D" Zone, can such a permission be denied.

Please give these two matters your consideration before deciding about the request for Zoning By-Law Amendment for 372 Grey Road 19 that was proposed at the June 13, Open House.

Those who have commented, so far, in the public forum, as a matter of record, are not satisfied that adequate consideration has been given to all the factors that affect these and neighboring lands, nor are they satisfied, yet, that the proposal would be in the best interests of the province, the Town, residents and the highly functional, working, Watershed Ecosystems within which they live. Watershed Ecosystems can easily be enhanced and expanded by those who know how to do that task by employing the principles and techniques of sound, watershed-based planning. The watershed-based-planning act, for Ontario can help with that. (See: Building Better Communities and Conserving Watersheds Act, 2017, S.O. 2017, c. 23 - Bill 139)

Sincerely,
Lucy Richmond.

Attachment A

A1. Provincial laws direct new development to settlement areas where infrastructure is in place or planned.

- A. The Provincial Policy Statement 2020 (PPS): Section 1.1.1 g) page 7, states, "Healthy, liveable and safe communities are sustained by . . . ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs", and, Part IV, page 6 . . . the PPS "directs development away from areas of natural and human-made hazards."
- B. The "Places to Grow Act 2005 - current": Purposes 1(b) To promote a rational and balanced approach to decisions about growth that . . .make efficient use of infrastructure"
- C. The Municipal Act: Municipalities, both the upper and lower tiers, have the authority, responsibility, and accountability for 11 Municipal Functions: "Transportation systems; public utilities (sewage treatment, collection of sanitary sewage, collection of storm water and other drainage from land, water production treatment and storage, water distribution); Drainage and flood control. . . "
- D. The Planning Act: Regarding approvals of plans of subdivision:
"Regarding the authority for approval of certain planning matters, the Town's authority, under the Planning Act, Section 51, Subsections (5) and (6), the Act clearly states: . . .
"Prescribed lower-tier municipality
 (6) If land is in a prescribed lower-tier municipality, the lower-tier municipality is the approval authority for the purposes of this section and section 51.1. 2002, c. 17, Sched. B, s. 19 (3)."

A2. Only if the Zoning remains Development "D" Zone, can the Town, protect these lands, from seasonal and intermittent flooding and the continued loss of their dynamic, natural, watershed functions, over time.

See: The Town of the Blue Mountains By-Law No. 2002-78, (the "Fill" By-Law) as amended.

The Municipality must serve the best interests of the Province, the County, the Town, its Citizens, and the Lands where they live, work and play. It would not be in the interests of the residents living near this holding, now or in the future, to grant this request until the infrastructure "gap" is filled. Only by maintaining the Zoning as Development "D" on this holding can we protect this holding until proper assessment of the as-built conditions and hydrodynamics are analyzed and considered in preparation for the adequate infrastructure plans that would follow.

The Municipality must prohibit the granting of any permit or permission that could allow **site alteration including the accepting and/or removing of "fill" of any kind (earth, gravel, sand, tree-trunks, canopy, and ecosystems, included) as defined under the Town's "Fill" By-Law.**

A change in the Zoning By-Law from "D" Development to anything else would make it possible for the proponent to ask for such permissions, by permit, and

therefore, to alter the existing grade of the land, and natural drainage patterns, before a Development Agreement has been struck between the Town and the Proponent. Such a request is PROHIBITED if the holding continues to be zoned Development "D". (See item 3.ii, below). Only if the Zoning remains Development D Zone, can such a permission be denied

Town of the Blue Mountains "Fill" By-Law

An Excerpt:

"Under section, 2. PROHIBITION

1. No person shall place or dump fill, or alter the existing grade of any land, except in accordance with the provisions of this By-law.
2. No person shall place, or dump, "fill" or alter the existing grade of any land that is defined as environmentally significant land.
3. No person shall place or dump fill, or alter the existing grade of any land, defined, and zoned as: . . .

(i) Hazard H Zone, Private Open Space OS2 Zone, Development D Zone, Deferred Development DD Zone and Holding h Zone by Zoning By-law No. 83-40 of the Corporation of the Township of Collingwood, as amended, or

(ii) Hazard H Zone, Development D Zone and Holding h Zone by Zoning By-law No. 10-77 of the Corporation of the Town of Thornbury, as amended."

No permit has been issued for this holding to the best of my knowledge, to date, under the Town's "Fill" By-Law. Nor shall any permit or permission be granted that would allow **site alteration including the accepting and/or removing of "fill" of any kind (earth, gravel, sand, tree-trunks, canopy, and ecosystems, included)** until:

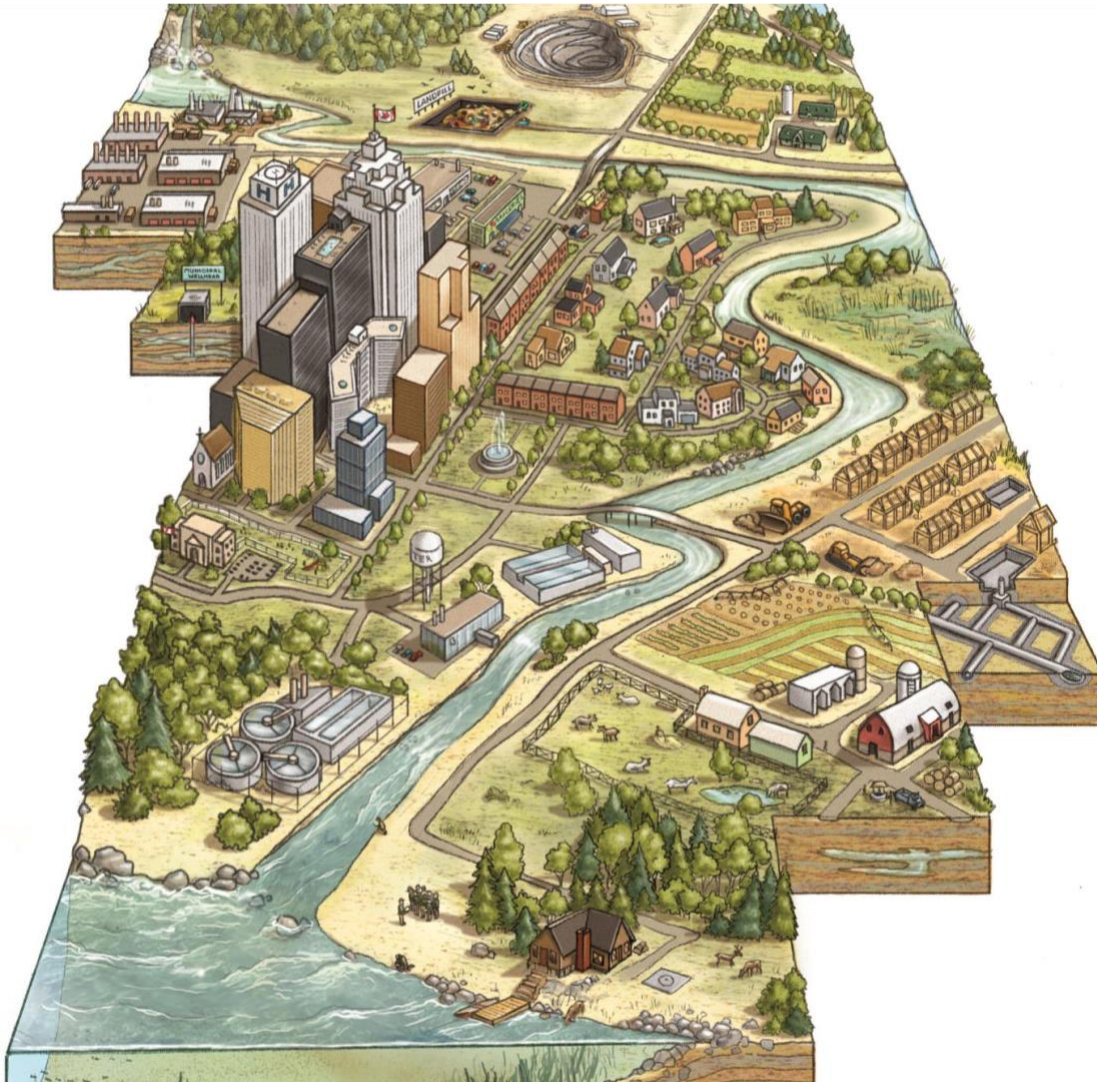
- I. It has been confirmed that no site alterations have occurred on the holding since June 13, 2022
- II. All missing/incomplete information requested at the Public Meeting has been received and duly circulated, and,
- III. Council has made their decision with regards to the request for Zoning By-Law amendment in connection with the proponent's submission of a complete Draft Master Plan the Town's approval.
- IV. The Master Plan has been approved.
- V. The missing infrastructure has been put in place or is planned and "shovel-ready".

In these ways, the Town can assure itself that all the environmentally significant features are protected, in the interim. Only if the Zoning remains Development "D" Zone, can such a permission be denied.

Attachment B: from "Conservation Ontario", the Ontario Conservation Authority is responsible for:

"Watershed Management, Development, Interference & Alteration Regulation" regarding, " . . . development & activities in or adjacent to river or stream valleys, Great Lakes and large inland lakes shorelines, watercourses, hazardous lands & wetlands".

"Everyone lives downstream."



From: [Corrina Giles](#)
To: [REDACTED]
Cc: [council](#); [Ruth Prince](#); [Ryan R. Gibbons](#); [Sarah Traynor](#); [Shawn Carey](#); [Shawn Everitt](#); [Tim Hendry](#); [Will Thomson](#); [Trevor Houghton](#); [Travis Sandberg](#); [Karen Long](#); [Kyra Dunlop](#); [Krista Royal](#)
Subject: FW: Webform submission from: Town Clerk
Date: May 18, 2022 8:41:53 AM
Attachments: [image001.png](#)
[image003.png](#)

Good morning,

I acknowledge receipt of your comments below in response to the June 13, 2022 [Notice of Application and Public Meeting Re: 372 Grey Road 21](#) and confirm I have forwarded the same to Council for their information and consideration. Your comments will be included in the record of the June 13 Public Meeting, and attached to a followup staff report regarding this matter.

Kind regards,



Corrina Giles, CMO

Town Clerk

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

Tel: 519-599-3131 ext. 232 | Fax: 519-599-7723

Email: cgiles@thebluemountains.ca | Website: www.thebluemountains.ca

From: Website Committee <webcommittee@thebluemountains.ca>

Sent: May 12, 2022 8:55 AM

To: Town Clerk <townclerk@thebluemountains.ca>

Subject: Webform submission from: Town Clerk

Submitted on Thu, 05/12/2022 - 08:55

Submitted by: Anonymous

Submitted values are:

Name:

Madi Hayles

Email:

[REDACTED]

Phone:

[REDACTED]

How can we help you?

In reference to Application for Zoning By-law Amendment Property location: 372 Grey Road 21
I do not support this application for ZONING AMENDMENT. No development. This area is part of the
Silver Creek Wetlands

I would like a copy of my submission sent to my email address.

Yes

Any accompanying files are attached.