

**Attachment 1 Planning Framework Analysis**

<p>Planning Act</p>	<p>Noteworthy matters of provincial interest relative to this proposal include:</p> <ul style="list-style-type: none"> <li>(a) the protection of ecological systems, including natural areas, features and functions;</li> <li>(o) the protection of public health and safety;</li> <li>(p) the appropriate location of growth and development;</li> <li>(d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest</li> </ul>
<p>Provincial Planning Statement</p>	<p>Noteworthy policies of the Provincial Planning Statement include:</p> <p>4.6.2.2. Planning authorities shall not permit development and site alteration on lands containing archaeological resources or areas of archaeological potential unless the significant archaeological resources have been conserved.</p> <p>5.2.3 Development and site alteration shall not be permitted within:</p> <ul style="list-style-type: none"> <li>c) areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards and/or dynamic beach hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard;</li> </ul>
<p>County of Grey Official Plan</p>	<p>Noteworthy policies of the County of Grey Official Plan include the following.</p> <p>The property falls within the Recreational Resort Settlement Area which permits the proposed residential use.</p> <p>The County Plan also includes other relevant policies:</p> <p>4.3.1 Our Community Healthy Environments (bullet 10) Direct development away from natural hazards that may pose a potential health or safety risk for residents.</p> <p>4.5.1.1 Our Culture Heritage: General Cultural Heritage Policies The County and local municipalities must ensure adequate screening for archaeological potential and, where warranted, archaeological assessment on all plans of subdivision and condominiums, zoning amendments, site plans, and consents and consult with appropriate government agencies, including the Ministry of Culture, Tourism and Sport, and the Ministry of Government and Consumer Services (Cemeteries Regulation Unit) when an identified marked or</p>

	<p>unmarked cemetery is affected by land use development. The provisions of the Heritage Act and the Funeral, Burial and Cremation Services Act must apply.</p>
<p>Town of the Blue Mountains Official Plan</p>	<p>Noteworthy policies of the Town of The Blue Mountains Official Plan include the following.</p> <p>The property falls within the Residential Recreation Area which permits the proposed single detached residential use.</p> <p>Other applicable policies of the Town Official Plan include:</p> <p><b>C3 Floodplain Planning</b> The appropriate Conservation Authority should be consulted to confirm the limits of the natural hazards associated with these watercourses and for permitting requirements within regulated areas under the Conservation Authorities Act.</p> <p><b>D3.4 Archaeological Resources</b> Council recognizes that there are archaeological remnants of prehistoric and early historic habitation as well as archaeological potential areas within the Town. Archaeological sites and resources contained within these areas can be adversely affected by any future development. Council shall therefore require archaeological impact assessments/reports and the preservation or excavation of significant archaeological resources in accordance with Provincial policies. Archaeological impact assessments/reports by licensed archaeologists are to be in compliance with guidelines set out by the Ministry of Tourism, Culture and Sport, as well as licensing requirements referenced under the Ontario Heritage Act.</p>
<p>Staff Comments</p>	<p>The proposed single detached residential use is supported within all of the above referenced documents. In addition policies related to flood, hazard and archaeological issues have all been addressed through the related studies and clearances.</p> <p><b>Flood and Hazard policies:</b> The flood plain assessment completed on the property identified a development envelope and flood prone areas. The boundaries of Hazard lands have been identified and the proposed zoning places these in the appropriate Hazard designation. The non-flood prone areas have also been identified and include the development envelope which is subject of the proposed Residential zone. GSCA permits are required for any development activity.</p>

	<p><b>Cultural Heritage Policies</b> An Archaeological Assessment was completed for the subject lands and did not result in the identification of any archaeological resources. The assessment was registered with the Province and a clearance letter was issued. The applicant engaged with the Saugeen Ojibway Nation and SON confirmed that it had no concerns.</p>
<p>Niagara Escarpment Plan</p>	<p>The property falls within the Niagara Escarpment Plan and is outside of the Niagara Escarpment Commission direct control area. This means that NEC is a commenting body only.</p> <p>The property is designated Escarpment Recreation Area which permits the proposed use.</p> <p>The Niagara Planning and Development Act , R.S.O. 1990 (NEPDA) Section 2 lays out the purpose of the Act as the provision for the maintenance of the Escarpment and land in its vicinity substantially as a continuous natural environment, ensuring that proposed development is compatible. The Provincial Planning Statement (PPS) Section 4.6 provides for the protection of cultural heritage and archaeology. The definition of cultural heritage landscape includes features such as buildings, structures, spaces, views, archaeological sites, and natural elements that are valued together for their interrelationship, meaning or association; and as such, the Niagara Escarpment’s scenic resources have been reviewed as follows: The subject property is located within the Thornbury-Long Point Shoreline landscape unit #197 (NEC Landscape Evaluation Study 368, 1976) which has a scenic ranking of Attractive. This landscape unit is associated with primary and secondary scarps of the Escarpment landform, and panoramic viewsheds in the area were studied in the Viewshed Analysis. Given the small scale of the proposed development, dense vegetation in the area, and the viewing distance, any long-range visual impacts can be mitigated with the use of a neutral roof colour that is harmonious with the surrounding landscape, as well as maintaining the treeline along Highway 26 to screen from view the proposed development.</p>

<p>Town of The Blue Mountains Comprehensive Zoning By-law 2018-65</p>	<p>The proposed Zoning By-law Amendment contemplates re-zoning from the current Open Space zone to a combination of Residential One-One Exception, Hazard and Open Space. The result is that the property will be split zoned. Where multiple uses and zones occur on one lot the following provisions apply:</p> <p>4.21 Multiple Uses and Zones on One Lot b) Where a lot is divided into more than one zone, each portion of the lot must be used for a purpose that is permitted within each applicable zone. Accessory buildings or structures must be located in the same zone as the main building. In no case shall the zone boundary function as a lot line for the purposes of determining required setbacks and minimum yards. Notwithstanding the above, the maximum permitted lot coverage shall apply only to the portion of the lot that is within each respective zone, as required.</p>
<p>Staff Comment</p>	<p>The proposed Residential One – One zone applies to a small portion of the property. Section 4.21 of Comprehensive Zoning By-law 2018-65 requires that in cases of split zoning the lot coverage requirements be limited to the area of the applicable zoning rather than to the lot as a whole. This ensures that, while overall lot coverage is 30% the total lot coverage will not exceed that area within the R1-1 zone. This interpretation is consistent with the defined requirements for how lot coverage is calculated in the Town and consistent with Town practice elsewhere in the Town.</p>
<p>Conservation Authorities Act Generic Regulations</p>	<p>The property is subject to Conservation Authority Generic Regulations and falls within the jurisdiction of the Grey Sauble Conservation Authority. GSCA is agreeable to the re-zoning subject to the proposed Hazard zoning and required future GSCA permitting.</p>