



Staff Report

Planning and Development Services – Planning Division

Report To: Committee of the Whole
Meeting Date: November 3, 2020
Report Number: PDS.20.97
Subject: Windfall Phase 4B Holding '-h' Removal
Prepared by: Shawn Postma

A. Recommendations

THAT Council receive Staff Report PDS.20.97, entitled "Windfall Phase 4B Holding '-h' Removal";

AND THAT Council enact a Zoning By-law Amendment to remove the Holding '-h' Symbol in its entirety from those lands described as Part Block 38 16M-42 also known as Windfall Phase 4B.

B. Overview

The purpose of this report is to advise Council on the status of the Windfall Phase 4B subdivision and provide a recommendation to lift the Holding '-h' symbol to permit building permits to be issued under a completed Subdivision Agreement and registration of the Plan of Subdivision

C. Executive Summary

Application File # P2903

Application Received Date: May 26, 2020

Official Plan Designation: Recreation Residential Area 'RRA'

Zoning Bylaw Designation: Residential 'R1-3-62-h19'

Location: Windfall Phase 4B Part Lot 16, Concession 1

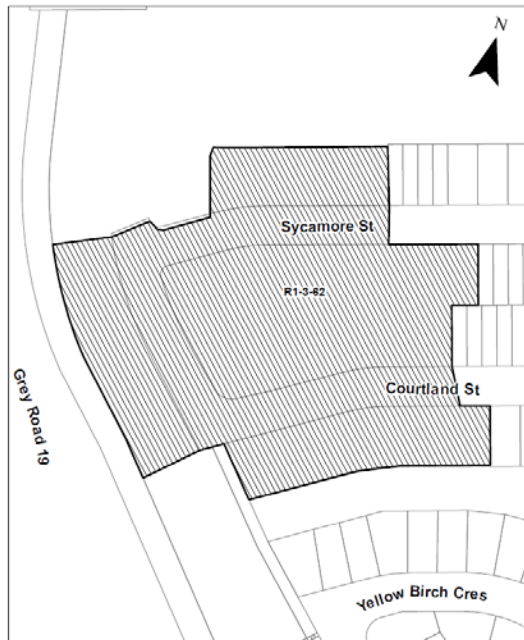
Planning Services received an application for removal of Holding '-h' By-law. Engineering approvals through the issuance of Accepted for Construction Drawings are complete and were stamped "AFC" on October 30, 2019. A Subdivision Agreement has been fully executed and registered on title. A Plan of Subdivision has been deposited with the Land Registry.

Based on the current stage of the approvals process, it is now appropriate to lift the Holding ‘-h’ Symbol by By-law. Upon enactment of the By-law Building Permits will be immediately available for new construction within Phase 4B.

D. Background

Windfall Phase 4B is part of the Master Planned community known as Windfall. Phases 1 and 2 are now built out. Phase 3 is nearing completion. Phase 4A is under construction and Phase 4B is being considered under this report. 4A is comprised of the easterly half of Sycamore Street and Courtland Street. Phase 4B consists of the remaining westerly section. To be completed are Phases 5 and 6 being the remainder of Blocks 38 and 40 of the Registered Plan 16M-42.

Figure 1 – Location Map (Phase 4B shown in hatching)



E. Analysis

The detailed engineering design for all of Phase 4 (Phase 4A and Phase 4B) was submitted in December 2018. Final Accepted for Construction (AFC) approvals were received from the Town Development Engineering Division on October 30, 2019. A Subdivision Agreement has been executed and registered. All Draft Plan Conditions related to Phase 4B have been completed with Clearance Letters issued by the Town and outside agencies. The County of Grey is the approval authority for the Plan of Subdivision and has delivered the Plan of Subdivision to the Land Registry Office.

The Subdivision Agreement has been modified for this phase of Windfall to improve communications between the developer and area residents. New requirements for notice of scheduled construction activity is to be provided by on-site signage and mail for the benefit of residents living in an active construction area.

Requirements for the removal of the Holding ‘-h19’ symbol are found under Part 10.0 to the Blue Mountains Comprehensive Zoning By-law 2018-65. The Holding Symbol cannot be lifted until the following has been completed:

- i. Execution of a Master Development Agreement
- ii. Execution of a Subdivision Agreement or Site Plan Agreement
- iii. Registration of a Plan of Subdivision or Granting of Site Plan Approval

A Master Development Agreement has been executed between the Town and Windfall in 2010.

A Subdivision Agreement and Plan of Subdivision dated July 2020 has been prepared and delivered to the Land Registry Office in September 2020. The Town is still awaiting confirmation of final registration and subdivision Plan number. Town Staff acknowledge that the registration requirements are complete and that there are no further obligations on the Town, County or Developer to finalize the registration process. Town Staff will advise Council prior to the By-law being enacted that the registration process is complete.

Based on the foregoing, the requirements of lifting the Hold have been met. Planning Staff recommend that the Holding ‘-h19’ symbol be lifted upon confirmation from the Land Registry Office that the Plan of Subdivision has been registered. Upon enactment, the By-law will allow for construction of new dwelling units in Phase 4B to begin.

F. Strategic Priorities

3. Community

We will protect and enhance the community feel and the character of the Town, while ensuring the responsible use of resources and restoration of nature.

4. Quality of Life

We will foster a high quality of life for full-time and part-time residents of all ages and stages, while welcoming visitors.

G. Environmental Impacts

There do not appear to be any adverse impacts to the environment based on the recommendations contained in this report.

H. Financial Impact

There do not appear to be any financial adverse impacts based on the recommendations contained in this report. Removal of the Holding Symbol would allow the project to move into the construction phase and will generate additional Town funds through the collection of Building Permit fees, Development Charges and new Assessment.

I. In consultation with

Trevor Houghton, Manager of Community Planning
Nathan Westendorp, Director of Planning and Development Services

J. Public Engagement

The development implemented by the proposed By-law was subject to previous public consultation and engagement through the zoning by-law amendment and plan of subdivision review processes in 2010. The topic of this Staff Report has not been subject to a Public Meeting and/or a Public Information Centre as neither a Public Meeting nor a Public Information Centre are required by the Planning Act. Notice of removal of the Holding '-h19' symbol has been circulated to the developer, landowners within 120 metres of Phase 4b lands and those who previously requested notice on Windfall applications. Comments regarding this report should be submitted to Shawn Postma, Senior Policy Planner at planning@thebluemountains.ca.

K. Attached

1. Draft Holding '-h19' Removal By-law

Respectfully submitted,

Shawn Postma, MCIP RPP
Senior Policy Planner

Nathan Westendorp, RPP, MCIP
Director of Planning and Development Services

For more information, please contact:
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The Corporation of the Town of The Blue Mountains

By-Law Number 2020 –

Being a By-law to amend Zoning By-law No. 2018-65 which may be cited as "Blue Mountains Zoning By-law 2018-65 "

Whereas the Council of The Corporation of the Town of The Blue Mountains deems it necessary in the public interest to pass a by-law to amend By-law No. 2018-65;

And Whereas pursuant to the provisions of Section 36 of the Planning Act, R.S.O. 1990, c. P.13, the By-law may be amended by Council of the Municipality;

Now Therefore Council of The Corporation of the Town of The Blue Mountains hereby enacts as follows:

1. The Zoning By-law of the Blue Mountains being By-law 2018-65, is hereby amended by removing the Holding '-h19' symbol from the lands lying and being in the Town of The Blue Mountains comprised of Part of Block 38 Registered Plan 16M-42 as indicated on the attached key map Schedule 'A-1'.
2. That Schedule 'A-1' is declared to form part of this By-law.

And Further that this By-law shall come into force and take effect upon the date of enactment.

Enacted and passed this 16th day of November, 2020.

Alar Soever, Mayor

Corrina Giles, Clerk

I hereby certify that the foregoing is a true copy of By-law No. 2020-___ as enacted by the Council of The Corporation of the Town of The Blue Mountains on the 16th day of November, 2020.



Dated at the Town of The Blue Mountains, this 16th day of November, 2020.

Corrina Giles, Clerk

Town of The Blue Mountains Schedule 'A-1'

By-Law No. _____

Legend

-  Subject Lands of this Amendment
-  Area to be rezoned from R1-3-62-h19 to R1-3-62

