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STAFF REPORT: Planning & Building Services Department



REPORT TO: Committee of the Whole
MEETING DATE: February 3, 2014
REPORT NO.: PL.14.14
SUBJECT: Application for Consent B05-2013
 Sid and Louise McFarlane
 Town Plot Part Lot 7, Louisa W/S
 36 Elma Street South
 Town of The Blue Mountains
PREPARED BY: Shawn Postma, Planner II

A. Recommendations

THAT Council receive Staff Report PL.14.14 “Application for Consent B05-2013, Sid and Louise McFarlane, Town Plot Part Lot 7, Louisa W/S, 36 Elma Street South, Town of The Blue Mountains”; and,

THAT Council grant Application for Consent B05-2013 subject to the following conditions:

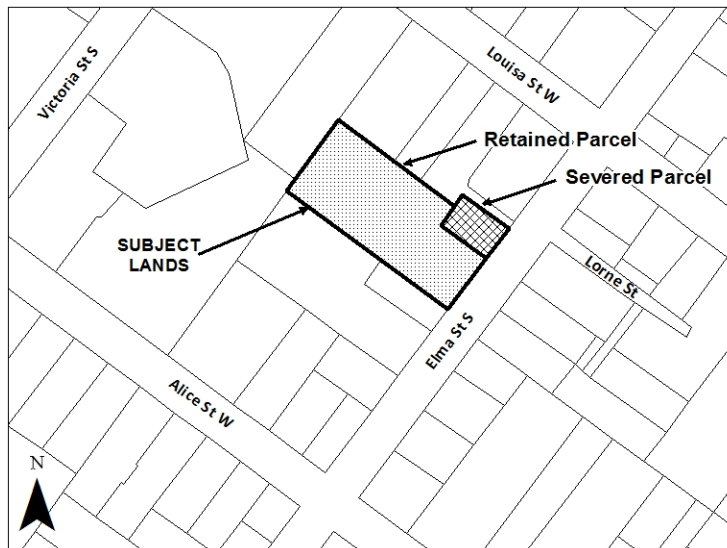
1. That the Applicant meet all the requirements, financial, including, but not limited to, Development Charges and Cash-in-lieu of Parkland, and otherwise of the Town for the Certificate of Consent to be issued.
2. That the Applicant provide a description of the land which can be registered in the Land Registry Office.
3. That the Applicant remove a section of the existing cedar hedge along the northerly side lot line of the severed parcel measured from the front lot line to a point 3.0 metres into the property.
4. That all conditions noted above shall be fulfilled within one year of the decision so that the Town’s Clerk is authorized to issue the Certificate of Consent pursuant to Section 53(42) of the Planning Act.

B. Background

Planning Services received an application for Consent from property owners Sid and Louise McFarlane of 36 Elma Street South. The application proposes to create a new 576 square metre vacant residential lot while retaining a 3091 square metre residential lot containing an existing dwelling.

The Subject Lands are legally described as Town Plot Part Lot 7, Louisa W/S, and has a lot area of 3668 square metres and a lot frontage of 48 metres. An existing century home is located in the centre of the property, along with a number of accessory buildings. A substantial addition to the existing dwelling was constructed in 2009. The property is generally flat, with a number of existing gardens and mature trees. Access is provided by Elma Street South, an open and maintained municipal road, and municipally owned water supply and sanitary sewers are available along the lot frontage.

LOCATION



Provincial Policy Statement

The Provincial Policy Statement (PPS) provides direction on appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. Infill residential development is encouraged through the PPS to increase densities and allow for the efficient use of land, infrastructure and public service facilities. There does not appear to be any concerns of Provincial interest and Planning Services is of the opinion that the proposal is consistent with the PPS.

County of Grey Official Plan

The Subject Lands are designated 'Primary Settlement Area' within the County of Grey Official Plan. Intensification opportunities are strongly encouraged within Primary Settlement Areas including the development of vacant or underutilized lots within previously developed areas. New construction through intensification should occur in a manner that takes into account the existing built and physical environment and is sympathetic in form. More detailed policy direction is to be provided under the local Official Plan. The proposed creation of a new vacant residential lot appears to comply with the County of Grey Official Plan provided that the new dwelling can be adequately integrated into the surrounding area.

The Blue Mountains Official Plan

The subject lands are designated Residential within the Thornbury Urban Community. The residential policies are intended to reflect the visual context of the historical low density residential development pattern while providing for opportunities for a wider variety of development form. Single Detached Dwellings should reflect a density of 10-15 units per hectare and are permitted through infilling by consent where the development would be generally compatible in lot size, shape, design and character with the existing surrounding uses while observing good design principles with respect to building placement, accessory uses, driveway location and landscape elements.

Consent policies of Section 9 provide minimum criteria that new lots must satisfy including general lot size and lot shape requirements, existing vacant lot inventory, opportunities for additional lots that may be created in conformity with the Plan, and potential for adverse impacts through the creation of a new lot.

Planning Staff has reviewed the above policies and are satisfied that the proposed residential lot can meet Official Plan requirements. The existing residential density for the area is approximately 6 units per hectare (uph) which provides opportunity for even further residential intensification in the area. The proposed lot size/shape measures 18 m (frontage) by 32 m (depth) and is consistent with the surrounding lot sizes/shapes in the area. The Elma Street area includes a wide variety of lot sizes ranging from 490 sq m up to 3200 sq m in size. Lot shapes are generally rectangular with larger depths to frontages. The addition of one vacant residential lot does not appear to impact the existing inventory of vacant residential lots in the area. The character of the surrounding area can be maintained with the addition of a new vacant residential lot. Minimum zoning requirements for setbacks, height, and placement of accessory structures are consistent with the existing built homes in the area. An existing driveway has been constructed (through Entrance Permit No. 2011-06) and has been accepted for use as a new residential driveway.

The retained parcel will remain as a large residential lot accommodating the existing dwelling and accessory uses. Further lot creation could be considered in the rear yard of the retained parcel along with a number of the adjacent residential lots. Access to the rear yard can be provided in a number of areas including over the proposed severed parcel on the subject lands, or over adjacent lands. Planning Staff are satisfied that the creation of a new lot at this location will not remove the potential of further lot development in the rear of the retained parcel.

Planning Services is of the opinion that the proposed new lot will comply with the Town of The Blue Mountains Official Plan.

Township of Collingwood Zoning By-law 83-40

The subject lands are zoned Residential 'R2' within the Town of Thornbury Zoning By-law 10-77. The Residential 'R2' zone permits single detached dwellings and sets minimum lot requirements of 18 metres for lot frontage, 555 square metres for lot area, 2½ storey's for height, and minimum setback requirements of 9 metres – front, 1.5 metres – side (one side shall be 5.4 metres if no attached garage is provided), and 10 metres – rear. Based on the requirements of the Residential 'R2' zone, a Zoning By-law Amendment is not required in order to permit the proposed new lot creation.

Planning Services is of the opinion that the proposed new lot and future construction of a single detached dwelling can comply with the Town of Thornbury Zoning By-law 10-77.

Public Meeting

A Public Meeting as required under the Planning Act was held on November 13, 2013. Comments were received from the County of Grey Planning and Development Department, the Grey Sauble Conservation Authority and an area resident.

The County of Grey Planning Department has recognized that a portion of the retained parcel is located within 500 metres of a known abandoned landfill site. Provided that Town staff are satisfied that there will be no impacts from methane gas or leachate migration, the County has no objections to the application.

Planning Staff has reviewed the buffer area and are satisfied that there will be no impacts on the proposed new lot. The new lot is located outside of the 500 metre buffer area, and the retained lot is only minimally impacted, with only a small corner being located within the buffer area. No new development is proposed in this area.

The Grey Sauble Conservation Authority has reviewed the application and has no objections.

Area resident concerns relate to the proposed lot size being too small, encroachment of a new dwelling onto adjacent residential properties, the existing operation of a bed and breakfast use within the existing dwelling, increased traffic and parking, preservation of the unique streetscape and architecture and safety/sightlines from the proposed driveway entrance.

Planning Staff has reviewed the above concerns, and have commented earlier in this report that the proposed lot size/shape and setbacks are appropriate for the area. The existing bed and breakfast use may continue within the existing dwelling, and a new bed and breakfast use on the proposed new lot is subject to By-law and Site Plan requirements prior to being established. The potential increase in traffic can be accommodated on the existing streets and parking can be accommodated on the property. In accordance with Zone requirements, a minimum of 2 parking spaces must be provided with a single detached dwelling. Streetscape and architectural features are incorporated into the Town Community Design Guidelines, but are not regulated by Town By-laws. Safety and sightline concerns appear valid, with the Town Engineering and Public Works department echoing the same concerns. As a condition of consent, the existing cedar hedge should be trimmed back to provide adequate sightlines from the driveway to Elma Street and the pedestrian sidewalk.

Based on the foregoing, it is the opinion of Planning Staff that the proposed Consent Application is consistent with the intent and direction of the Provincial Policy Statement, County of Grey Official Plan, Town of The Blue Mountains Official Plan and Town of Thornbury Zoning By-law. Planning Staff therefore recommend granting Consent Application B05-2013 subject to the conditions listed in this report.

C. The Blue Mountains' Strategic Plan

The recommendation in this Planning Staff Report is consistent and supports the following Strategic Plans Goals: *"1. Managing growth to ensure the ongoing health and prosperity of the community"*.

D. Environmental Impacts

Nil

E. Financial Impact

Nil

F. In Consultation With

Public Meeting – November 13, 2013

G. Attached

Nil

Respectfully submitted,

Shawn Postma, Planner II

David Finbow, Director of Planning and Building Services

For more information, please contact:

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