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STAFF REPORT: Planning & Development Services – Planning Division



REPORT TO: Committee of the Whole
MEETING DATE: June 6, 2016
REPORT NO.: PDS.16.67
SUBJECT: Application for Zoning By-law Amendment: Second Unit Michael and Meghan Boyd Concession 12, Part Lot 23, RP 16R-2863 Part 1
Town of The Blue Mountains
PREPARED BY: Shawn Postma, Senior Policy Planner

A. Recommendations

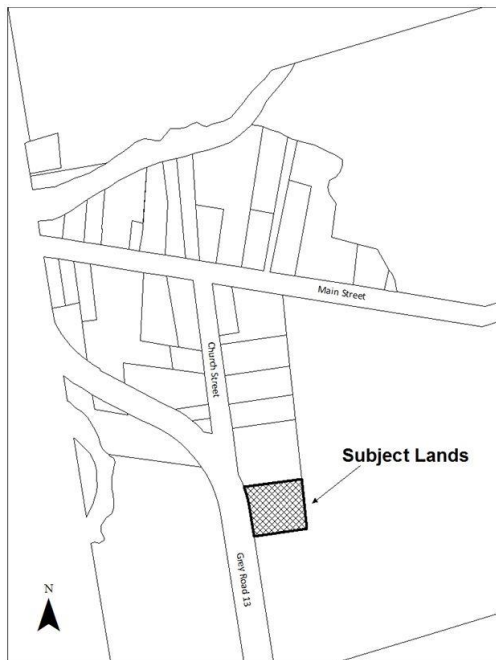
THAT Council receive Staff Report PDS.16.67 “Application for Zoning By-law Amendment: Second Unit, Michael and Meghan Boyd, Concession 12, Part Lot 23, RP 16R-2863, Part 1, Town of The Blue Mountains”; and,

THAT Council enact a Zoning By-law Amendment so as to permit a second residential dwelling unit within a proposed addition to the existing single detached dwelling in the subject lands.

B. Background

Planning Services has received an application for Zoning By-law Amendment from Michael and Meghan Boyd that proposes to add a second residential dwelling unit to the existing dwelling.

Location



The subject lands are described as Concession 12, Part Lot 23, RP 16R-2863, Part 1, Town of The Blue Mountains and are locally known as 236681 Grey Road 13 (Heathcote). The lands are approximately 0.28 ha (0.7ac) in size with 50 metres of frontage on to Grey Road 13. An existing single detached dwelling exists on the property. Surrounding land uses include a mix of single detached dwellings, agricultural lands and park lands. Private well water supply and private septic sewer system services the lands.

The proposed second unit includes the construction of a single story addition with garage. The addition will include a new and separate exterior entrance to the second unit, the installation of a new kitchen, bathroom and other living space. Parking is proposed to be located within the private garage or on the shared driveway.

Provincial Policy Statement

The Provincial Policy Statement 2014 (PPS) provides direction on appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. The PPS requires municipalities to provide an appropriate range and mix of housing types and densities to serve the residents of the area. Municipalities must provide all forms of housing including residential intensification and second units.

Bill 140 the Strong Communities Through Affordable Housing Act was enacted by the Province in 2012 and requires municipalities to establish Official Plan policies and Zoning By-law Provisions allowing second units in detached, semi-detached, rowhouse and ancillary structures. In 2012, Planning Staff initiated an Official Plan Amendment and Zoning By-law Amendment process to implement the requirements of Bill 140. Draft documents have been prepared and a Public Meeting was held in late 2012. At the same time, the Town has been working through the 5-year Official Plan Review, and the requirements of Bill 140 are being included through this process. The draft Amendment has been incorporated into the new Official Plan. No zoning amendment has been enacted.

Planning Services is of the opinion that the proposal is consistent with the PPS.

County of Grey Official Plan

The subject lands are designated 'Tertiary Settlement Area' within the County of Grey Official Plan. Section 2.6.5 of the County Plan recognizes that limited urban growth may be provided in keeping with the rural setting and provided that sufficient on-site private services can accommodate the growth. Section 6.17 of the Plan recognizes that second units shall be permitted within tertiary settlement areas. Prior to the issuance of a building permit, it shall be ensured that all building code requirements and on site servicing requirements can be met. Planning Services is of the opinion that the proposal will comply with the County of Grey Official Plan.

The Blue Mountains Official Plan

The subject lands are designated 'Village Centre' within the Town of The Blue Mountains Official Plan. Single Detached Dwellings are a permitted use. Apartments in houses may be permitted as an ancillary use subject to an amendment to the Zoning By-law. General criteria that must be met are described under Section 3.6.1 to the Plan and include: compatibility with the area, provision of one additional parking space, provision of adequate water and sewer services, and conformity with the Zoning By-law. Apartments in houses shall also meet all requirements of the Ontario Building Code and Fire Code, and must obtain a Building Permit, Occupancy Permit, and/or Change of Use Permit from the Town.

Planning Services Staff is of the opinion that the proposed secondary suite will comply with the Town of The Blue Mountains Official Plan. The addition of the secondary suite within the expanded dwelling will: remain compatible with the area; is able to provide sufficient additional parking on the lands; and sufficient water and sewer service capacity for an additional unit already exist on the lands.

Zoning

The subject lands are zoned Village Residential 'VR' within the Township of Collingwood Zoning By-law 83-40. Permitted uses include a single detached dwelling as well as accessory uses, buildings and structures. A secondary suite / basement apartment is not permitted as of right and therefore must first obtain a Zoning By-law Amendment prior to being permitted on the lands. The Zoning By-law Amendment application has been submitted and addresses the criteria contained in the Official Plan. A Site Plan has also been provided indicating how the secondary suite can be accommodated on the lands. Sufficient parking for the dwelling and the secondary suite is available in the proposed garage and on the existing driveway, the proposed entrance to the secondary suite is located by a separate entrance to the unit from the driveway. Planning Staff are also satisfied that the existing character of the area will not be impacted through the addition of a second unit. A Building Permit will be required prior to starting work on installing the secondary suite.

The Zoning By-law Amendment should include a new exception for the property to identify that a secondary suite within the existing dwelling may also be permitted on the lands, that the secondary suite shall have its own separate entrance into the dwelling and that one additional parking space shall be provided.

It should also be noted that if Council enacts a By-law to permit a secondary suite on the lands that Section 34(19.1) of the Planning Act does not allow an appeal of the By-law to the Ontario Municipal Board.

There are no requirements for Site Plan Approval to permit the secondary suite.

Provided that the above mentioned comments are included in the By-law, Planning Services is of the opinion that the proposed Amendment to permit the secondary suite will comply with the requirements of the Zoning By-law.

Public Meeting

A Public Meeting as required under the Planning Act was held on May 16, 2016. Comments were received from the County of Grey Planning and Development Department, Grey Sauble Conservation Authority, Grey Bruce Health Unit and Historic Saugeen Metis each indicating that they have no objections to the proposed Zoning By-law Amendment. No other written or verbal comments were received at the Public Meeting.

Based on the foregoing, it is the opinion of Planning Staff that the proposed Zoning By-law Amendment 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 the Township of Collingwood Zoning By-law 83-40. Planning Staff therefore recommend that Council enact a Zoning By-law Amendment subject to the comments contained in this report.

C. The Blue Mountains' Strategic Plan

Goal #3 - Support healthy lifestyles

D. Environmental Impacts

Nil

E. Financial Impact

Nil

F. In Consultation With

Public Meeting – May 16, 2016

G. Attached

1. Draft By-law

Respectfully submitted,

Shawn Postma, Senior Policy Planner

Michael Benner, 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 NO. 2016 - _____

Being a By-law to amend Zoning By-law No. 83-40
which may be cited as "The Township of Collingwood Zoning By-law".

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. 83-40;

AND WHEREAS pursuant to the provisions of Section 34 of the Planning Act, R.S.O. 1990, c. P.13, the By-law may be amended by Council of the Municipality;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS ENACTS AS FOLLOWS:

1. Map 3 to Schedule 'A' of the Township of Collingwood Zoning By-law 83-40 as amended, is hereby further amended by rezoning from the Village Residential 'VR' zone to the Village Residential 'VR-270' zone for those lands lying and being in the Town of The Blue Mountains, comprised of Concession 12 Part Lot 23, RP 16R-2863 Part 1 as indicated on the attached key map Schedule 'A1'.
2. Section 32 to the Township of Collingwood Zoning By-law 83-40 as amended is hereby further amended by adding the following:

 "270 One (1) secondary suite, being a self-contained dwelling unit may also be permitted within a Single Detached Dwelling on these lands. The secondary suite shall have its own exterior entrance separate from the exterior entrance to the principal dwelling except that access to the principal and secondary suite may be permitted through a common vestibule. One additional parking space shall be provided for the secondary suite."
3. Schedule 'A1' is hereby declared to form part of this By-law.

AND FURTHER that this By-law shall come into force and take effect upon the enactment thereof.

Enacted and passed this 20th day of June, 2016.

John McKean, Mayor

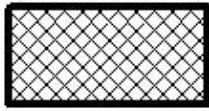
Corrina Giles, Clerk

I hereby certify that the foregoing is a true copy of By-law No. 2016 - _____ as enacted by the Council of the Corporation of the Town of The Blue Mountains on the 20th day of June 2016.

DATED at The Blue Mountains this 20th day of June 2016.

Signed: _____
Corrina Giles, Clerk

KEY MAP SCHEDULE 'A1' BY-LAW No. _____ TOWN OF THE BLUE MOUNTAINS



AREA AFFECTED BY THIS AMENDMENT

