

**STAFF REPORT: Town of The Blue Mountains Planning Department**



**REPORT TO:** Planning Committee of Council  
**MEETING DATE:** Monday, February 2, 2009  
**REPORT NO.:** PL.09.09  
**SUBJECT:** Application for Part Lot Control Exemption By-law - Flintview Holdings Inc. Block 82, Plan 1068; 104 Farm Gate Road; Town of The Blue Mountains

**PREPARED BY:** Bryan Pearce,  
Planner I  
Peter Tollefsen,  
Director of Planning

#### **A. Recommendations**

**THAT Council does receive Planning Staff Report PL.09.09, “Application for Part Lot Control Exemption By-law – Flintview Holdings Inc.; Block 82, Plan 1068; 104 Farm Gate Road; Town of The Blue Mountains”; and**

**THAT Planning Staff support the Application for Part Lot Control Exemption By-law.**

#### **B. Background**

The purpose of this Application for Part Lot Control Exemption By-law is to further allow for the Arrowhead at Blue development to continue the transfers of parts to future townhouse unit owners.

A Development Agreement was executed in September 2005 for the construction of thirty-eight (38) row townhouses as freehold units tied to a Common Elements Condominium Plan. Once constructed, Council passed a Removal of Part Lot Control By-law, being No. 2006-94, on September 6<sup>th</sup>, 2006, in order to allow for the individual units to sell within the development. This is detailed in a Plan of Survey that was registered as Reference Plan 16R-9008 (Attached Item #2) on November 1<sup>st</sup>, 2006 which illustrates the pieces of tied land for each unit in the development. Registration of the Condo occurred on February 12<sup>th</sup>, 2007 as Grey Common Elements Condominium Plan No. 72 (Attached Item #3). The common elements lands are for access and servicing the development.

The Agent for the Developer, D.C. Slade Consultants Inc., has requested to further extend the by-law for another two years since the original by-law expired in October 2008. They note that a majority of the units have been sold and transferred to the new owners; however there are still some remaining units to be transferred to future purchasers.

Planning Staff further note that the proponent would also require approval from the Grey County, Director of Planning and Development for the Removal of Part Lot Control By-law. If approved by the County, the signed by-law would have to be registered in the land registry office.

Based on the foregoing, it is the opinion of Planning Staff that there is no issue of concern in the extension of the Removal of Part Lot Control; and therefore would support this application and recommend that the proponent obtain approval from the County of Grey.

### **C. The Blue Mountains' Strategic Plan**

The recommendation in this Planning Staff Report PL.09.09 is consistent and supports the following Strategic Plans Goals:

*"1. Managing growth to ensure the ongoing health and prosperity of the community".*

### **D. Environmental Impact**

The proposal does not appear to generate any significant environmental impacts that can be regulated by the Town.

### **E. Budget Impact**

NIL

### **F. Attached**

1. Draft Removal of Part Lot Control By-law
2. Reference Plan 16R-9008
3. Grey Common Elements Condominium Plan No. 72

Respectfully submitted,

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CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS

By-law No. 2009 -

Being a By-law to remove lands bounded in part by Farm Gate Road from part-lot control

WHEREAS pursuant to subsection 50 (7) of the Planning Act, R.S.O. 1990, c. P.13 as amended, a municipality may enact a by-law to remove lands from part-lot control;

AND WHEREAS the nature of the part-lot control exemption request meets the criteria of the Corporation of the Town of The Blue Mountains in that the exemption from part-lot control will facilitate the development of the lands;

NOW THEREFORE the Council of the Corporation of the Town of The Blue Mountains hereby enacts as follows:

- 1. Subsection 50 (5) of the Planning Act, R.S.O. 1990, c. P.13 as amended, does not apply to the following parcels of land: Block 82, Registered Plan 1068; Town of The Blue Mountains; (Geographic Township of Collingwood); County of Grey.
2. Pursuant to subsection 50 (7.3) of the Planning Act, R.S.O. 1990, c. P.13 as amended, this By-law shall expire TWO (2) years from the date of its registration unless it shall have prior to that date been repealed or extended by the Council of the Corporation of the Town of The Blue Mountains.
3. This By-law shall not become effective until a certified copy or duplicate of the By-law has been registered in the property Land Registry Office.

Enacted and passed this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

Ellen Anderson, Mayor

Stephen Keast, Clerk

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I hereby certify that the foregoing is a true copy of By-law No. 2009-\_\_\_\_\_ as enacted by the Council of the Corporation of the Town of The Blue Mountains on the \_\_\_\_\_ day of \_\_\_\_\_, 2009.

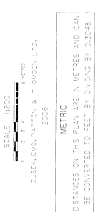
DATED at \_\_\_\_\_

this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

Signed: \_\_\_\_\_ Stephen Keast, Clerk

PLAN 16R-2004  
 REGISTERED AND DEPOSITED  
 DATE 2004.11.01  
 L. MacComachie  
 L.S. 11775  
 11775

PLAN OF SURVEY OF  
 BLOCK 82  
 REGISTERED PLAN 1068  
 TOWN OF THE BLUE MOUNTAINS  
 COUNTY OF GREY



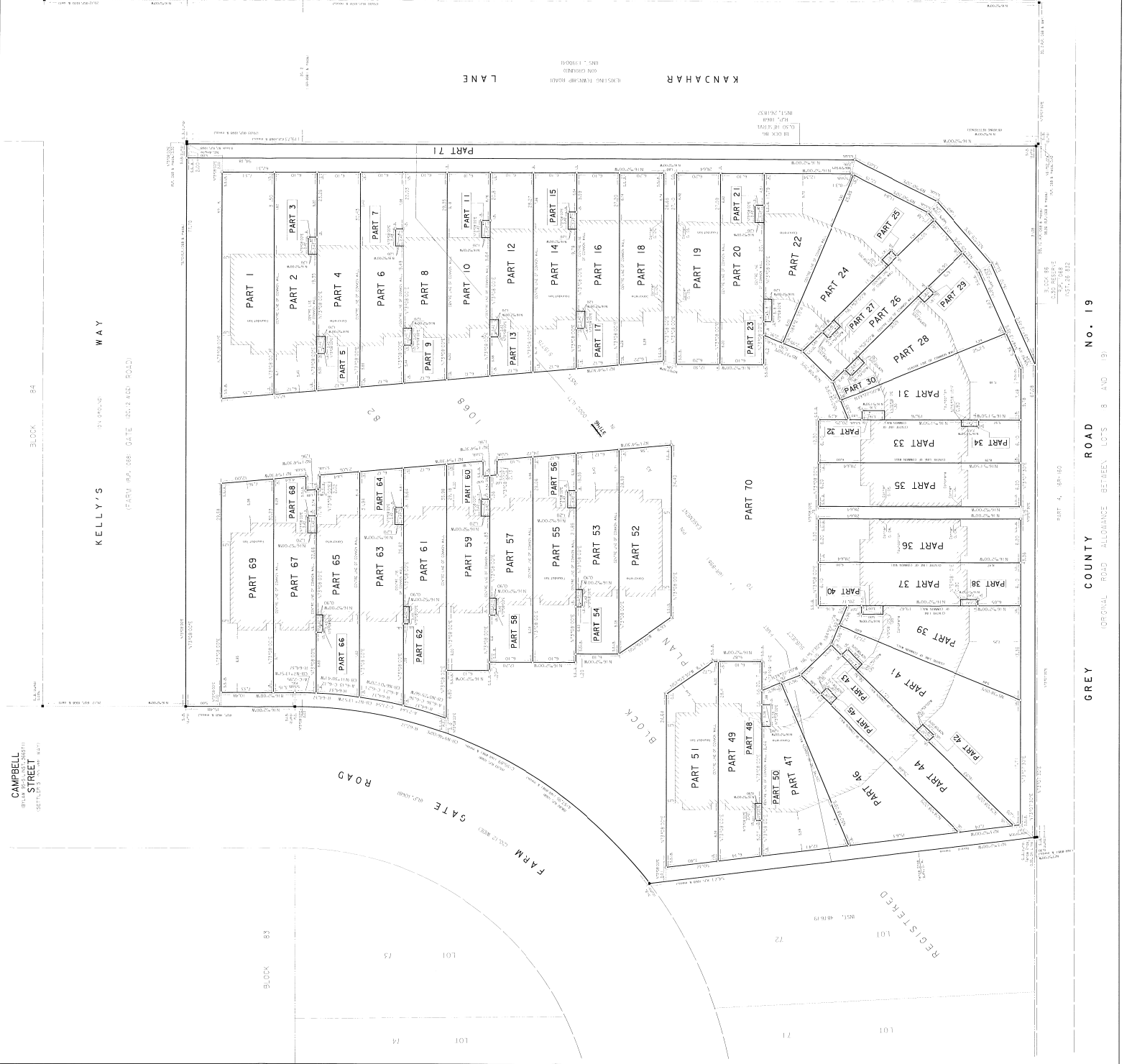
NOTES:  
 1. THIS PLAN IS A PART OF THE SURVEY OF THE TOWN OF THE BLUE MOUNTAINS, COUNTY OF GREY, AND IS SUBJECT TO THE TOWN OF THE BLUE MOUNTAINS ACT, 1997.  
 2. THE TOWN OF THE BLUE MOUNTAINS, COUNTY OF GREY, IS A PART OF THE TOWN OF THE BLUE MOUNTAINS, COUNTY OF GREY.  
 3. THE TOWN OF THE BLUE MOUNTAINS, COUNTY OF GREY, IS A PART OF THE TOWN OF THE BLUE MOUNTAINS, COUNTY OF GREY.  
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 10. THE TOWN OF THE BLUE MOUNTAINS, COUNTY OF GREY, IS A PART OF THE TOWN OF THE BLUE MOUNTAINS, COUNTY OF GREY.

SUPERVISOR'S CERTIFICATE  
 I, L. MACCOMACHIE, SUPERVISOR OF THE TOWN OF THE BLUE MOUNTAINS, COUNTY OF GREY, DO HEREBY CERTIFY THAT THIS PLAN IS A TRUE AND CORRECT COPY OF THE ORIGINAL PLAN AS DEPOSITED IN MY OFFICE ON THE 11th DAY OF NOVEMBER 2004.  
 L. MacComachie  
 SUPERVISOR

PATTEN & THOMSEN  
 31 STUART ROAD  
 COLLINGWOOD, ONTARIO L3P 9M7  
 TEL: 709-923-1111 FAX: 709-923-1111  
 E-MAIL: PATTEN@PATTEN-THOMSEN.COM

City of Blue Mountains  
 Town of the Blue Mountains  
 BROOKER ROAD

LANCASHIRE CONDOMINIUM PLAN NO. 25  
 100-1000000  
 100-1000000



GREY COUNTY ROAD NO. 19  
 ALLOWANCE BETWEEN LOTS 8 AND 9

