

STAFF REPORT: Planning & Building Services Department



REPORT TO: Mayor & Members of Council
DATE: Monday, January 11, 2010
REPORT NO.: PL.10.03
SUBJECT: Request for Comments
Niagara Escarpment Commission
File No. G/R/2009-2010/9096
453294 Ontario Ltd.
Part Lot 10, Concessions 1 and 2;
Grey Road 19;
Town of The Blue Mountains

PREPARED BY: Bryan Pearce,
Planner I

A. Recommendations

THAT Council advise the Niagara Escarpment Commission that the Town has no objection to the Development Permit Application File No. G/R/2009-2010/9096; legally described as Part Lot 10, Concessions 1 and 2; Grey Road 19; Town of The Blue Mountains; subject to the following condition:

- 1. That the proponent obtain approval for the proposed lot addition from the Town, deed the severed parcel to the adjacent lot to the south and obtain registration from the Land Registry Office.**

B. Background

The purpose of this report is to consider a proposal to convert the northerly dwelling to an accessory building by removing the shower and kitchen facilities. A two piece washroom is proposed to be retained.

The subject property is located on Part Lot 10, Concessions 1 and 2; in the Town of The Blue Mountains and the proposal is to add the 21.2 hectare parcel with the 4 hectare parcel of land to the south, creating a newly enlarged 25.3 hectare (62.48 acre) lot.

The severed parcel and the lands it is being conveyed both have an existing dwelling. Therefore, the development proposal is to convert the dwelling on the severed parcel to an accessory building.

Official Plan

The subject lands are designated as Escarpment (E) in the Town of The Blue Mountains Official Plan. The purpose of the Escarpment designation is to identify certain lands composing unique natural features, Escarpment slopes and environmentally sensitive lands associated with the Niagara Escarpment. Single

detached dwellings are a permitted use since the subject lands are designated Escarpment Protection in the Niagara Escarpment Plan.

The property has been identified as an Archaeological Area under Appendix “D” of the Official Plan. Section 8.11 of the Plan ensures that cultural heritage features are protected, preserved and enhanced as further indicated by the province. Being that the development proposal is a conversion of an existing dwelling, there would appear to be no impacts to significant cultural heritage features in the development area.

Therefore, Planning Staff note that the development proposal would appear to conform with the Official Plan.

Zoning

If zoning were in place, the General Rural (A1) Zone would apply to the subject lands. The General Rural (A1) Zone would permit this type of use on the subject lands.

There would be compliance issues with regards to this development proposal, if zoning were in place. This relates to the proposed lot addition creating a newly enlarged lot, as there would be two dwellings on one lot. The proponents have proposed to convert the existing dwelling to the north to a detached accessory building. This conversion to a detached accessory building appears to be located closer to the street than the existing dwelling, contrary to the general provisions for accessory uses under Section 5.2(iii). Given that the proposed detached accessory building is setback over 300 metres (984 feet) from the public road, it would appear to have limited visual impacts on the surrounding area; and therefore Planning Staff have no concern with the conversion of an existing building on the lands.

It should be noted with this conversion to an accessory building that zoning would preclude any form of human habitation.

Therefore, Planning Staff has no issue of concern as it relates to standards with the Zoning By-law.

Additional Comments

The Proponent has submitted to the Town an Application for Consent for the proposed lot addition, if a positive decision is rendered by the Niagara Escarpment Commission on this Development Permit Application. Planning Staff requests that as a condition of approval, the consent process for the lot addition must be approved by Council, with the severed parcel deeded to the adjacent lands to the south and registered in the Land Registry Office.

Based on the foregoing, Planning Staff would support this application for a Development Permit, conditional upon finalizing the consent process with the Town.

C. The Blue Mountains' Strategic Plan

The recommendation in this Planning Staff Report PL.10.03 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

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

E. Budget Impact

NIL

F. Attached

1. Lot Configuration
2. Site Plan

Respectfully submitted,

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/bp



MAP 2
LOT CONFIGURATION - PROPOSED

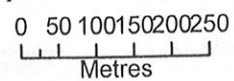
FILE NO. G/R/2009-2010/9096

APPLICANT: 453294 ONTARIO LTD

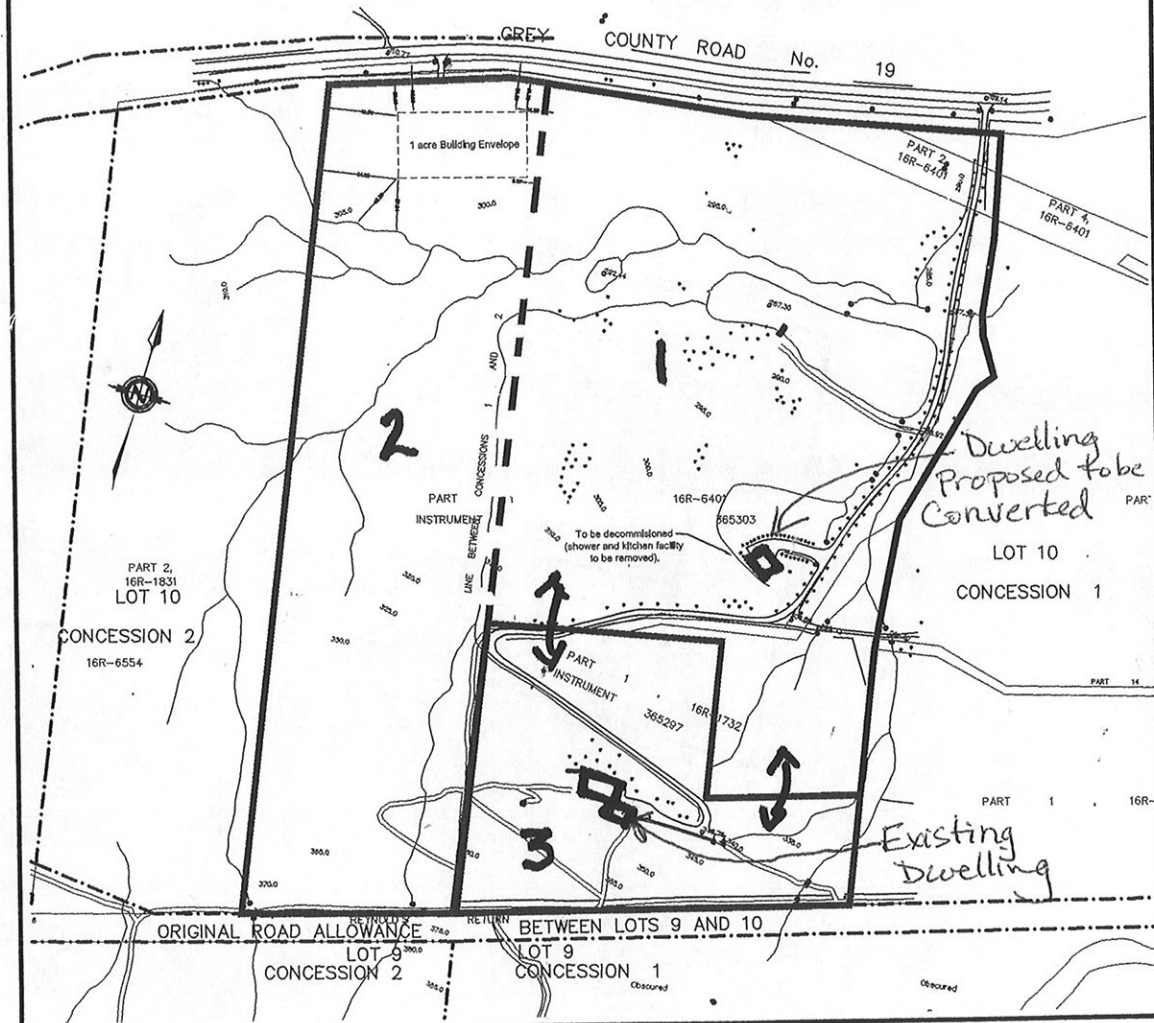
LEGEND

 Subject Property

Approximate Scale 1:10000



PROPOSED SEVERANCE
 Part of Lot 10, Concessions 1 & 2,
 THE TOWN OF THE BLUE MOUNTAINS



Draw: PHH:09755-C-Consentrev1.dwg
 Date: Sept. 29, 2009

<u>1</u>	LAND PROPOSED TO BE SEVERED	21.2 ha (52.3 ac)
<u>2</u>	LAND PROPOSED TO BE RETAINED	8.5 ha (21 ac)
<u>3</u>	LAND PROPOSED TO BE ADDED	4 ha (10 ac)
1+3	Newly Configured Lot	25.3 ha (62.48 ac)



Map 3

Site Plan

Name... 453294 Ontario Ltd.
 File Number... G/R/2009-2010/9096



Not to Scale