

STAFF REPORT: Town of The Blue Mountains Planning Department



REPORT TO: Mayor and Members of Council
MEETING DATE: Monday, July 14, 2008
REPORT NO.: PL.08.75
SUBJECT: Application for Consent
File No. B04-2007
Andrew Catapano & Lidia Larosa
Lot 35, Plan 824;
149 Kandahar Lane;
Town of The Blue Mountains

PREPARED BY: Shawn Postma,
Planner II
Robert Armstrong,
Manager of Development Planning & IS

A. Recommendations

THAT Council does receive Planning Staff Report PL.08.75, “Application for Consent File No. B04-2007, Andrew Catapano & Lidia Larosa”; Lot 35, Plan 824;

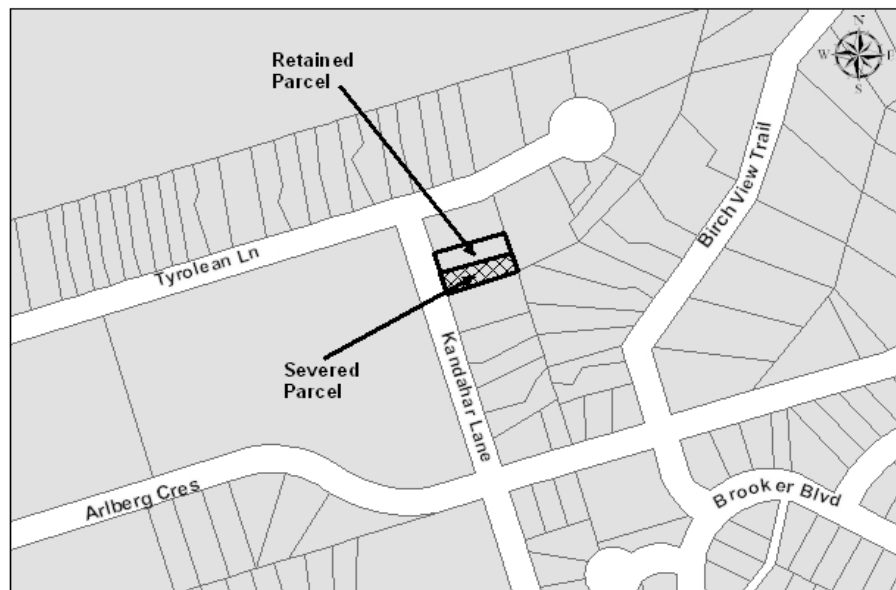
AND THAT Council does hereby grant approval to Application for Consent File No. B04-2007, subject to the following conditions:

- 1. A Zoning By-law Amendment to rezone the subject lands from the Residential (R5-43) zone to the Residential (R4) zone.**
- 2. The re-establishment of the former swale along the north side of the property, or other suitable alternative, for drainage purposes to the satisfaction of the Town’s Engineering and Public Works Department.**

B. Background

The purpose of Consent Application B04-2007 is to consider a request to split an existing horizontally attached dwelling on one lot into a semi-detached dwelling over two separate 836 square metre residential parcels divided along the centre common wall. This proposed consent will not result in any increase to the number of dwelling units on the lands.

The subject lands are connected to Municipal water and sewer. The surrounding uses include a mix of multiple residential and single detached dwellings uses to the north, east and south; and vacant residential lands to the west.



Official Plan

The Town of The Blue Mountains Official Plan designates the subject lands as Residential Infilling (RI). The purpose of the Residential Infilling designation is to recognize existing residential plans of subdivision which have been registered and other existing residential areas which have been substantially developed.

Section 4.12 policies state that within registered plans of subdivision further lot creation shall generally be prohibited in order to maintain the intended density and character of the development. In this proposal, there are no changes to the existing density or character of the area. The density remains the same with 2 dwelling units; the only change now being in land ownership for each unit. Both units will maintain access to the rear yard through their respective side yards, and therefore the proposed lot creation conforms to policies of the Official Plan.

Zoning By-law

The subject lands are zoned Residential Fifth Density (R5-43) within the Township of Collingwood Zoning By-law 83-40. Permitted uses within the Residential (R5-43) Zone include a horizontally attached dwelling; and uses, buildings and structures accessory thereto. Exception 43 limits the property to a maximum of three dwelling units. Minimum lot frontage and area requirements for a horizontally attached dwelling in the Residential (R5) Zone are 25 metres and 650 square metres respectively.

The proposed severance will result in the change of use from a horizontally attached dwelling to a semi-detached dwelling. The new lots as proposed would provide 15 metre lot frontages, deficient of the minimum 25 metre requirement. A Zoning By-law Amendment will be required in order to permit the proposed semi-detached dwelling, and deficient lot frontage, as well to remove exception 43 from the lands.

Additional Comments

Comments were received from the County of Grey - Planning and Development Department; and Grey Sauble Conservation Authority. These comments are summarized below.

The County of Grey Planning and Development Department has no objections, provided that the existing dwelling meets all building code requirements for a semi-detached dwelling.

The Grey Sauble Conservation Authority has no objections to the application based on the subject property being located outside the hazard and regulated areas.

The public meeting was held on the 2nd day of April, 2007, as required under the Planning Act. No issues of concern were raised from the public.

The Town's Engineering and Public Works Department identified a need for a 4.0 metre easement along the southern interior side lot line of the severed parcel to improve an existing drainage swale that flows from surrounding properties across the subject lands and into the municipal ditch system. The easement is required to improve the existing drainage system and also to provide municipal access.

A recommendation was scheduled to go to Council in June 2007. At that time, one of the property owners did not agree to the location of the easement being along the southern side lot line. The application remained dormant for some time, until the property owners and the Town could agree on suitable compromise. A second option to relocate and enlarge the easement from the south side to the north side, and from 4 metres to 5 metres was also agreed to by the Town and the property owners. However upon further review, it has been determined that an easement in favour of the Town is not required. Engineering and Public Works (E/PW) have determined that the original drainage pattern on the property was along a swale that flowed along the north side of the property. That swale has since been filled in and a raised driveway has been constructed in its place. E/PW do not require an easement as the drainage course to the rear of the property is located on private property which the Town does not have access to. Instead, as a condition of consent, the original swale should be re-established or other suitable solution including an option to pipe the water along the original swale location must be completed to the satisfaction of the Engineering and Public Works Department.

Development charges will not be required as condition of consent. Although a new lot is being created, Development Charges are collected on a per unit basis for residential dwelling units, and in this case, there will be no increase or potential increase in residential units.

Based on the foregoing, it is the opinion of Planning Staff that the proposed consent conforms to the intent and direction of the Town of The Blue Mountains Official Plan and

represents good planning. Therefore, Planning Staff would support this application for consent subject to the conditions noted in this report.

C. The Blue Mountains' Strategic Plan

The recommendation contained within this report is consistent and supports the following Strategic Plans Goals:

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

D. Budget Impact

NIL

E. Environmental Impact

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

F. Attached

NIL

Respectfully submitted,

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Planner II

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