

STAFF REPORT: The Blue Mountains Planning Department



REPORT TO: Mayor and Members of Council
 MEETING DATE: Monday, December 22, 2008
 REPORT NO.: PL.08.129
 SUBJECT: Application for Zoning By-law Amendment to remove Holding ‘-h’ Symbol -
 Peaks Bay – Phase 1;
 Lots 1 to 8 and 19 to 24, Plan 16M-23;
 Part Lots 26, Concession 5;
 The Blue Mountains

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

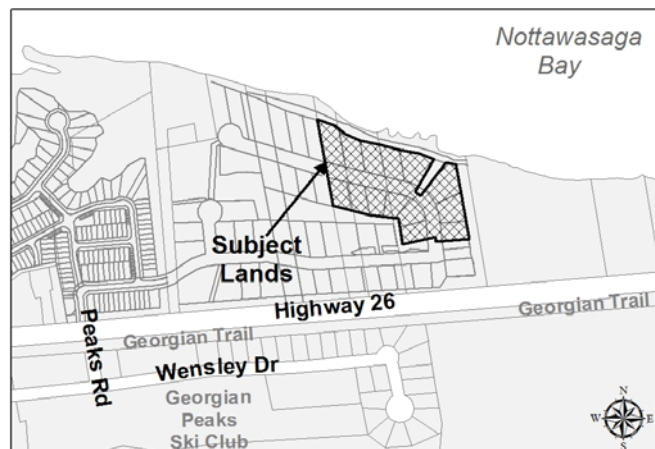
A. Recommendations

THAT Council does receive Planning Staff Report PL.08.129, “Application for Zoning By-law Amendment to remove Holding ‘-h’ Symbol –; Peaks Bay - Phase 1; Lots 1 to 8 and 19 to 24, Plan 16M-23; Part Lots 26, Concession 5; The Blue Mountains”; and

THAT Planning Staff supports a Zoning By-law Amendment to remove the Holding ‘-h’ symbol for a portion of Phase 1 (14 single detached dwelling units), comprised of Lots 1 to 8 and 19 to 24, Plan 16M-23.

B. Background

The purpose of this Zoning By-law Amendment application is to consider a request by the applicant to remove the Holding ‘-h’ symbol from a portion of the subject lands in recognition of fulfilling the conditions for the removal. The Holding – h symbol is proposed to be removed from 14 of the 24 lots within Phase 1 (Peaks Bay East), comprised of lots 1 to 8 and 19 to 24 of Draft Plan Approved Subdivision, County of Grey File No. 42T-87016.



In accordance with the Zoning By-law No. 2006-44 as per Ontario Municipal Board (OMB) Order #0382, the condition to the removal of the Holding (-h) symbol for the residential lots is the Registration of the Plan. In addition, provisions contained in the Memorandum of Understanding and the Development Agreement note that the holding symbol can only be removed from 20 lots until the Public Road Access is obtained to Peaks Road. Subsequently, Peaks Bay provided 6 of the 20 lots to the Smith lands (adjacent lands to the west) and therefore they are left with 14 lots until this matter is addressed. The Holding (-h) symbol will be retained on the remainder of the lots in Phase 1 (Peaks Bay East) and on Phase 2 (Peaks Bay West) until such time as the Public Road Access matter is addressed and Phase 2 is registered.

The Land Registry Office has registered the plan as 16M-23 on the 16th day of December, 2008; and therefore the condition of the amending zoning by-law has been met.

Planning Staff would therefore have no objection to Council granting a Zoning By-law Amendment to remove the Holding '-h' Symbol for the single detached lots, comprised of Lots 1 to 8 and 19 to 24, Plan 16M-23.

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. Budget Impact

Nil

E. Environmental Impacts

The removal of the holding symbol would not result in any environmental impacts.

F. Attached

1. Draft Zoning By-law
2. Registered Plan 16M-23 Submission

Respectfully submitted,

Bryan Pearce, HBA, CPT
Planner I
26 Bridge Street, PO Box 310
Thornbury, ON NOH 2PO
Phone: 519-599-3131 ext.269
Fax: 519-599-3018
bpearce@thebluemountains.ca

Peter Tollefsen, MCIP, RPP
Director of Planning
26 Bridge Street, PO Box 310
Thornbury, ON NOH 2PO
Phone: 519-599-3131 ext.247
Fax: 519-599-3018
ptollefsen@thebluemountains.ca

/bp

K:\2008 By-laws\Reports\PL08129 Peaks Bay holding removal Phase 1 Lots 1-8 & 19-24.doc

THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS

BY-LAW NO. _____

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 36 of the Planning Act, 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. The Zoning By-law of the Township of Collingwood being By-law No. 83-40, is hereby amended by removing the Holding (-h) symbol from the lands lying and being in The Blue Mountains comprised of Lots 1 to 8 and 19 to 24, Registered Plan 16M-23, as indicated on the attached key map Schedule 'A-1'.
2. Schedule "A-1" 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 22nd day of December, 2008.

Ellen Anderson, Mayor

Stephen Keast, Clerk

I hereby certify that the foregoing is a true copy of By-law No. 2008- _____ as enacted by the Council of the Corporation of the Town of The Blue Mountains on the 22nd day of December, 2008.

DATED at _____ this _____ day of _____, 2008.

Signed: _____
Stephen Keast, Clerk

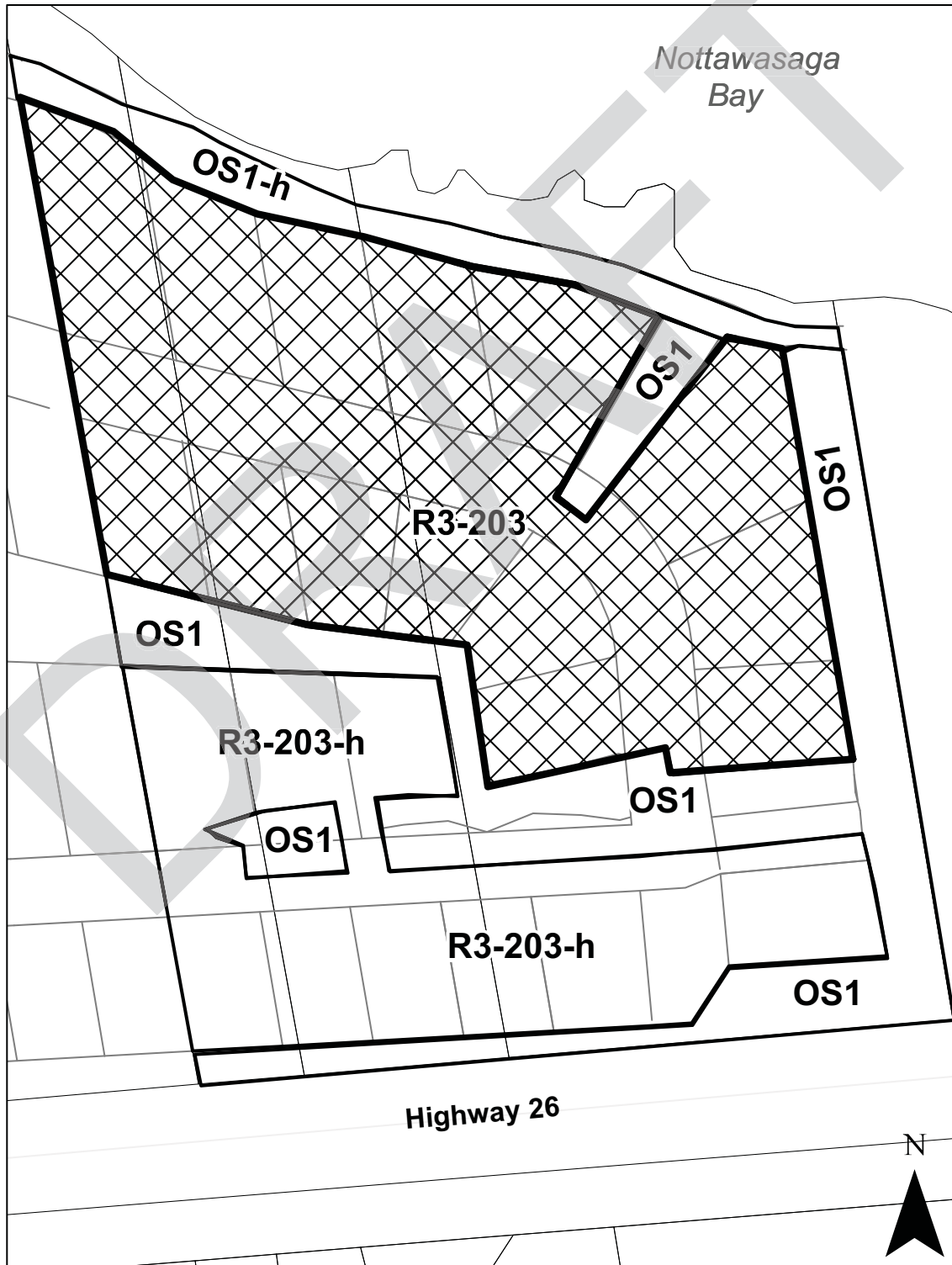
Town of The Blue Mountains

Key Map Schedule A-1

By-Law No. _____



Area Affected By This Amendment



PLAN 16M-

I HEREBY STATE THAT THIS PLAN IS REGISTERED IN THE LAND REGISTRY OFFICE FOR THE LAND TITLES DIVISION AND THAT THE PLAN IS REGISTERED IN THE PLAN REGISTER FOR PROPERTY IDENTIFIER PN 37509-00001/L, AND THAT THE PLAN IS REGISTERED AS PLAN DOCUMENT NO. _____

THIS PLAN COMPLETES ALL OF PN 37509-00001/L AS IN PART OF 16M-2008

DEPARTMENT OF LAND ADMINISTRATION
 16M-2008

PLAN OF SUBDIVISION OF
 PART OF LOT 26
 CONCESSION 5
 (GEOGRAPHIC TOWNSHIP OF COLLINGWOOD)
 TOWN OF THE BLUE MOUNTAINS
 COUNTY OF GREY

SCALE 1:500

ZUBER, LINDA PATTEN & THOMSEN LTD.
 METRIC
 DIMENSIONS ON THIS PLAN IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

THIS FINAL PLAN OF SUBDIVISION IS APPROVED UNDER THE SUBDIVISION ACT (CHAPTER F 1) R.S.O. 1990 AS AMENDED.
 THIS _____ DAY OF _____ 2008.
 DIRECTOR OF PLANNING

- NOTES:
- 1. BEARINGS HEREON ARE ASTROMERIC AND ARE REFERRED TO BY HIGHWAY NO. 26 BEING 16M-2008 IN ACCORDANCE WITH PLAN 16R-9111.
 - 2. DENOTES SET
 - 3. DENOTES FOUND
 - 4. DENOTES STANDING IRON BAR
 - 5. DENOTES SHORT STANDING IRON BAR
 - 6. DENOTES CUT CROSS
 - 7. DENOTES TO EASEMENT AS IN INST. 07 1408
 - 8. DENOTES WITNESS
- UNLESS OTHERWISE NOTED ALL SET BACKS ARE IN METRES AND ARE INDICATED BY A SHORT BAR OR A LONG BAR. SET BACKS OF 0.3048 METRES ARE INDICATED BY A SHORT BAR.

SURVEYOR'S CERTIFICATE

I, THE SURVEYOR, HAVE BEEN IN ACCORDANCE WITH THE SURVEY ACT AND THE REGULATIONS MADE THEREUNDER AND I HAVE COMPLETED ON THE 8TH DAY OF SEPTEMBER 2008.

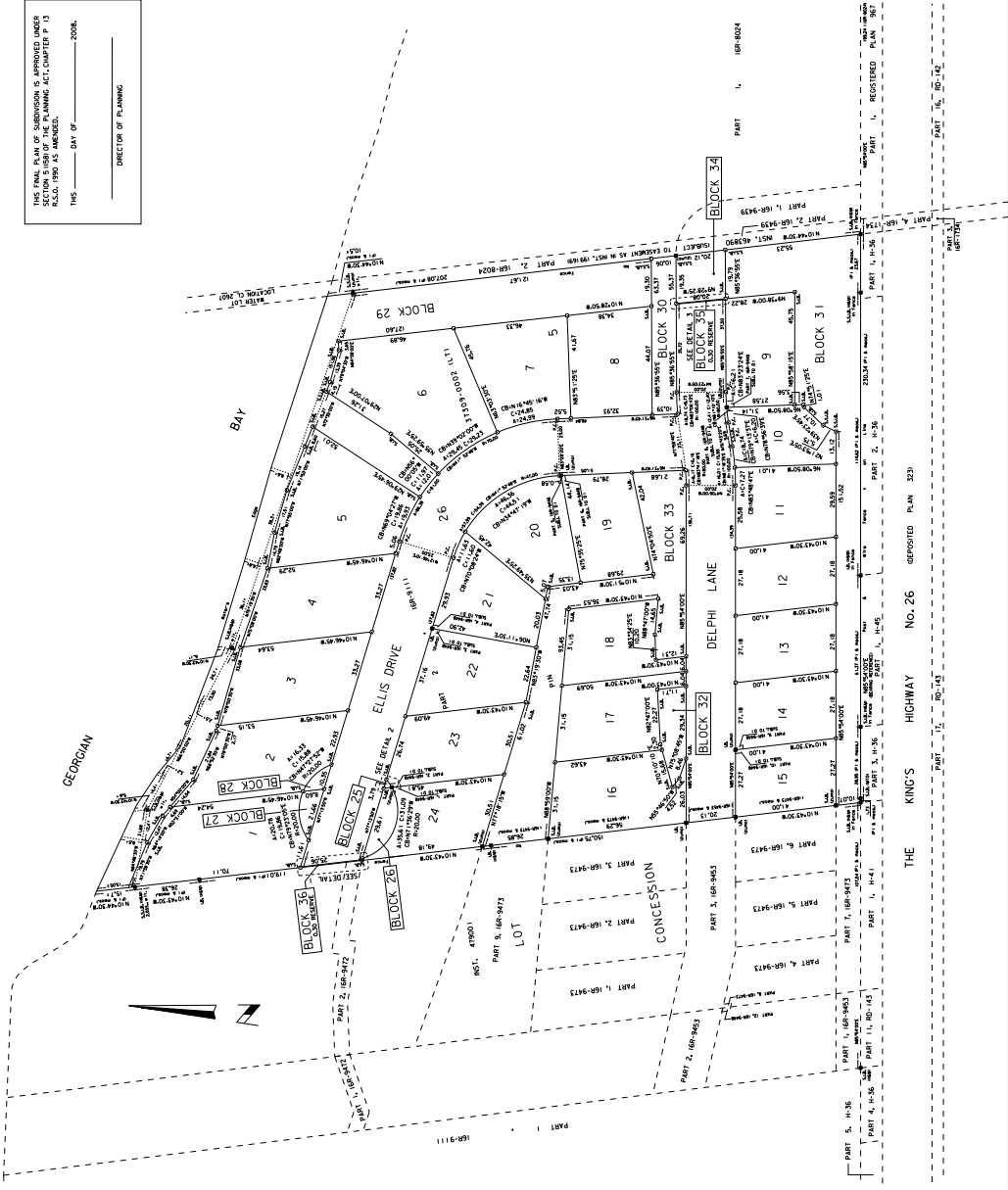
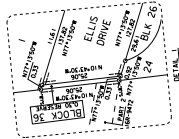
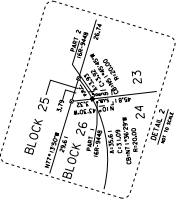
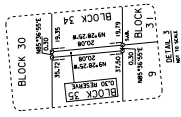
OCTOBER 24, 2008
 PAUL G. THOMSEN
 ONTARIO LAND SURVEYOR
 COLLINGWOOD
 O.L.S.

OWNER'S CERTIFICATE

THIS IS TO CERTIFY THAT I, THE OWNER, HAVE BEEN IN ACCORDANCE WITH THE SUBDIVISION ACT AND THE REGULATIONS MADE THEREUNDER AND I HAVE COMPLETED ON THE 4TH DAY OF NOVEMBER 2008.

HAVE THE AUTHORITY TO SIGN THIS CORPORATION

KEN WENT
 PRESIDENT



PAUL G. THOMSEN & THOMSEN
 ONTARIO LAND SURVEYORS
 39 STEWART ROAD
 COLLINGWOOD, ONTARIO L9Y 4W7
 TEL: 709-251-1111 FAX: 709-251-8888
 WWW.PGTHOMSEN.COM