

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

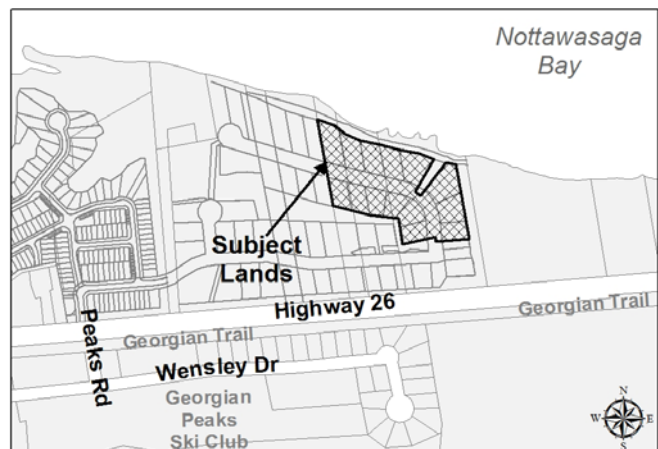
A. Recommendations

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,

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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

