

REPORT: Planning & Building Services Department



REPORT TO: Council
MEETING DATE: Monday, August 9, 2010
REPORT NO.: PL.10.76
SUBJECT: Application for Zoning By-law Amendment -
 The Cottages at Lora Bay
 (Keepers Cove)
 Lot 1 and Part of Lot 3, Plan 1032;
 Town of The Blue Mountains

PREPARED BY: Bryan Pearce,
 Planner I

A. Recommendations

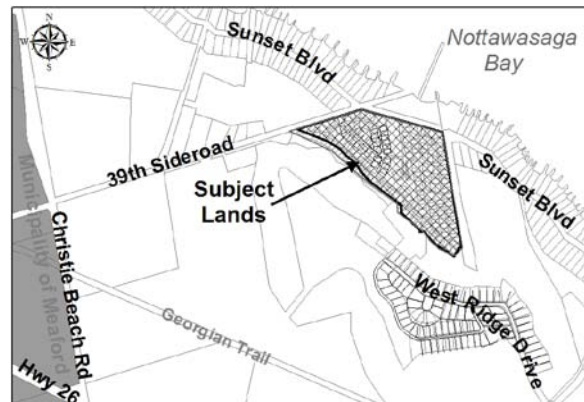
THAT Council receive Planning Staff Report PL.10.76, “Application for Zoning By-law Amendment – The Cottages at Lora Bay (Keepers Cove); Lot 1 and Part of Lot 3, Plan 1032; Town of The Blue Mountains”; and

THAT Council enact a Zoning By-law Amendment to amend Exception 6 for the Residential Exception 6 (R1-6) Zone to increase the maximum lot coverage from forty percent (40%) to a maximum lot coverage of fifty percent (50%) for the single detached units; and remove the townhouse permission/provisions from Exception 6.

B. Background

The purpose of Application for Zoning By-law Amendment is to consider a request to increase the lot coverage for all of the single detached units for the Keepers Cove residential development, to allow for increased flexibility in the floor plan design of the dwellings based on consumer demands; and remove the provisions as it relates to the townhouse units, as the townhouses were converted to single detached units as part of a red-line revision to the draft plan, approved by the County of Grey in May 2008.

The subject lands are located on the southeast corner of the intersection between 39th Sideroad and Sunset Boulevard.



It should be noted that the subject lands have municipal water and sewer service fronting along the roads, being in the Lora Bay service area.

At the time of application the Owners were 1382491 Ontario Limited, c/o Jill Kitchen, President; Blevins Developments (Cove) Ltd., c/o Tim Blevins, President; Reid's Heritage Homes Limited; who have retained Brian Blackmere of Stantec Consulting to act on their behalf.

It is noted that Reid's Heritage Homes (RHH) has been actively seeking comments from the consumer so as to adapt their housing style and layout accordingly for this residential development.

In support of the application, the agent and RHH submitted a lot coverage analysis for the whole development, along with the Site Servicing Implications Letter from the Consulting Engineers, Genivar.

Planning Comments

Planning authorities must have regard to matters of Provincial interest, the criteria of the *Planning Act* and be consistent with the Provincial Policy Statement (PPS-2005). Within the Town of The Blue Mountains they must also make decisions that conform to the County of Grey Official Plan and Town of The Blue Mountains Official Plan; and make decisions that represent good land use planning.

Provincial Interest – Legislation, Policy, Guidelines

The PPS-2005 supports this proposal under Section 1.1.3 which states that "*settlement areas shall be the focus of growth and their vitality and regeneration shall be promoted*", as the subject lands are within the Lora Bay Urban Area, a designated settlement area within the Town.

County of Grey Official Plan

All development must conform to the purposes and policies of the County of Grey Official Plan.

The subject lands are designated as Urban within the County of Grey Official Plan, as Keepers Cove residential development is within the settlement area; and local land use policies and development standards shall apply.

Therefore it is Staff's opinion that the County Official Plan supports this rural non-farm residential lot creation proposal.

Town of The Blue Mountains Official Plan

The Town of The Blue Mountains Official Plan designates the subject lands as Shoreline Residential Exception 18 (SR-18), as per Amendment #9. The Exception 18 policies permit a maximum of 212 residential units and other policies that relate to

the development of a draft plan and the transitioning plan of the existing trailers on the site.

Therefore, it would appear that the proposed zoning by-law amendment conforms to the policies of the Official Plan.

Zoning By-law

The subject lands are zoned Residential (R1-6), Residential (R1-6-h), Private Recreational (PREC) and Private Open Space (OS2) within the Township of Collingwood Zoning By-law 83-40.

The effect of the proposed amendment would be a text amendment to Exception 6 of the zoning by-law, to increase the maximum lot coverage from forty percent (40%) to a maximum lot coverage of fifty percent (50%) for the single detached units; and remove the townhouse provisions, as the townhouses were converted to single detached units as part of a red-line revision to the draft plan, approved by the County of Grey in May 2008

With respect to the increased lot coverage of the units, Planning Staff note that by having an extra 10% lot coverage on residential lots, it would allow for increased flexibility in the floor plan design of the dwellings, making a more marketable product to the consumer. An analysis of the adequacy of amenity space has been completed and Planning Staff are satisfied that given the product being offered, the likely market and the developments overall common amenity space, that the lot specific amenity space is adequate to provide for a quality living environment. In addition, a comprehensive approach was taken on the residential development, so that the character can be achieved over the whole development, just as the unique setbacks were applied to the zoning with the approval of the draft plan on these smaller style lots to articulate the character with the trailers on the site.

With respect to the townhouse provisions in the exception, this is a house-keeping matter on the exception since they were reduced to single detached units in 2009, along the south side of the development.

Additional Comments

Agency Comments

Comments were received from the County of Grey - Planning and Development Department; Historic Saugeen Metis; and Grey Sauble Conservation Authority (GSCA). These comments are summarized below.

The County of Grey - Planning and Development Department has no issues of concern, provided that comments are received from the GSCA.

The Historic Saugeen Metis notes that they have no further interest in this matter at this time, unless archaeological finds are discovered. Planning Staff noted that archeological consideration occurred at the draft plan on the residential development.

The GSCA has no issues of concern based on the preliminary site servicing report prepared in support of the application, but request that a more detailed analysis of the increase in peak flow should be undertaken to the satisfaction of the Town's Engineering and Public Works (EPW) Department.

Interdepartmental Comments

Comments were received on March 31st, 2010 from EPW Department, noting that the stormwater management system would need a detailed review over and above the preliminary site servicing report that was submitted with the application. Since that time, Genivar has provided the Town with the latest detailed information in July 2010. After being pier reviewed by The Ainley Group, the Town's EPW Department has advised that they are satisfied that the system is adequate notwithstanding the increase in lot coverage/potential impervious surfaces.

Planning Staff notes that no other interdepartmental comments have been received on these applications; and therefore no further issues of concern has been raised for this proposal.

Public Meeting Comments

Based on the site visit conducted on April 7th, 2010, the placards for zoning by-law amendment were posted as required under the *Planning Act*, along with a mail out circulation of the Notices to area assessed property owners and publication in the March 17th, 2010 edition of The Courier-Herald Newspaper.

The public meeting was held on April 7th, 2010, as required under the *Planning Act*. No additional comments were received through the Committee with the public in attendance at the public meeting.

Written Correspondence Received From the Public

No correspondence was received from the public on the proposal.

Summary

Based on the foregoing, it is the opinion of Planning Staff that the proposed zoning by-law amendment 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 zoning by-law amendment as noted in this report.

C. The Blue Mountains' Strategic Plan

The recommendation in this Planning Staff Report PL.10.76 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 special or significant environmental impacts.

E. Budget Impact

N/A

F. Attached

1. Draft Plan – Approved May 15, 2008
2. Draft Zoning By-law Amendment

Respectfully submitted,

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THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS

BY-LAW NO. 2010 - _____

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 34 of the Planning Act, R.S.O. 1990, c. P.13, 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. Section 32 to the Zoning By-law of the Township of Collingwood, being By-law No. 83-40, as amended, is hereby further amended by deleting exception 6 and replacing it with the following:

"6 These lands may be developed to a maximum of 198 dwelling units in accordance with the applicable zone provisions with the exception of the following:
(a) Notwithstanding the provisions of the Residential R1 zone as contained in Schedule "AA", the following applicable exceptions shall apply:

i)	Front Yard Setback	4.25 metres
ii)	Rear Yard Setback	3.0 metres
iii)	Interior Side Yard Setback	1.5 metres
iv)	Exterior Side Yard Setback	4.5 metres
v)	Maximum Lot Coverage	50%

(b) For these provisions, a unit within a Plan of Condominium shall have the same meaning as a lot.

(c) A minimum of 2 parking spaces is required per unit, one of which must be located on Vacant Land Plan of Condominium Unit.

(d) Notwithstanding the provisions of Section 5.8(b), a lot shall not be required to have frontage and access to an improved Public Street provided the lands are developed as a Plan of Condominium in accordance with the provisions of the Condominium Act, S.O. 1998 and all necessary easements for access to an improved Public Street for all lots are established as a condition of the Condominium approval.

(e) In accordance with the provisions of Section 36 of the Planning Act R.S.O. 1990, c-P.13, as amended, the holding symbol "h" shall not be removed from a part of the lands until such time as either of the following has been completed:

- i. registration of a phase within a Phased Plan of Common and the Payment of Development Charges for an applicable Phase;

(g) Prior to the removal of the holding -h symbol, any existing Recreational Vehicle, Park Model Trailer or Mobile Home may be permitted to be relocated to a site approved under a Development Agreement subject to the following Provisions:

i)	Minimum Site Front Yard	4.25 metres
ii)	Minimum Site Rear Yard	3 metres
iii)	Minimum Site Side Yard	1.2 metres on one side and 3 metres on the other side
iv)	Minimum Site Setback from internal lane	4.5 metres
v)	Maximum Site Coverage	40%
vi)	Minimum Landscaped Area	50%
vii)	Open Storage	Not permitted
viii)	Minimum parking spaces per site	2
ix)	Maximum Accessory Deck Area	18.6 square metres
x)	Maximum Accessory Storage Shed	7.5 square metres
xi)	Existing park model trailer units shall be permitted year round occupancy.	
xii)	Recreational vehicles existing as of date of passing of this by-law shall be permitted a maximum occupancy of 180 days per year and restricted to the period between May 1 and October 31.	

- xiii) Park Model Trailers complying with appropriate CSA standards for year round occupancy shall be permitted.
- xiv) An accessory shed located on a site shall be located in the rear half of the site and located a minimum distance of 1 metre from the side or rear site line or 4.5 metres from an internal lane.
- xv) the relocation of any existing deck or shed shall be exempt from lot coverage, maximum size and setback provisions contained herein. "

AND FURTHER that this By-law shall come into force and take effect upon the enactment thereof.

Enacted and passed this ____th day of _____, 2010.

Ellen Anderson, Mayor

Corrina Giles, Clerk

I hereby certify that the foregoing is a true copy of By-law No. 2010 - _____ as enacted by the Council of The Corporation of The Town of The Blue Mountains on the _____th day of _____, 2010.

DATED at _____

this _____ day of _____, 2010.

Signed: _____
Corrina Giles, Clerk