

REPORT: Planning & Building Services Department



REPORT TO: Planning and Building Committee
MEETING DATE: February 6, 2012
REPORT NO.: PL.12.16
SUBJECT: Applications for Consent
File Nos. B12-2010, B13-2010, B14-2010
and B15-2010; and
Zoning By-law Amendment -
2117568 Ontario Inc.
c/o Norris Monaghan
Part Lot 10, Concession 5;
595584 4th Line
Town of The Blue Mountains
PREPARED BY: Bryan Pearce,
Planner I

A. Recommendations

THAT Council receive Planning Staff Report PL.12.16, “Applications for Consent File Nos. B12-2010, B13-2010, B14-2010 and B15-2010; and Zoning By-law Amendment – 2117568 Ontario Inc. c/o Norris Monaghan; Part Lot 10, Concession 5; 595584 4th Line; Town of The Blue Mountains”;

AND THAT Council authorize Consent No. B12-2010, subject to the following conditions:

- 1. That the Applicant meet all the requirements, financial and otherwise of the Town, for the Certificate of Consent to be issued.**
- 2. That the Applicant provide a description of the land which can be registered in the Land Registry Office.**
- 3. The payment of cash-in-lieu of applicable parkland dedication.**
- 4. The Payment of Road and Related Service of the applicable Town-wide Development Charges.**
- 5. That an Entrance Permit be obtained from the County of Grey’s Transportation Department for the severed parcel.**
- 6. That Council enact a Zoning By-law Amendment to recognize the proposed rural residential lot; and delineate the natural heritage lands associated with the significant woodlands and associated adjacent lands to protect from development.**
- 7. That conditions of Consent Nos. B13-2010, B14-2010 and B15-2010 are completed.**

AND THAT Council authorize Consent No. B13-2010, subject to the following conditions:

- 1. That the Applicant meet all the requirements, financial and otherwise of the Town, for the Certificate of Consent to be issued.**
- 2. That the Applicant provide a description of the land which can be registered in the Land Registry Office.**
- 3. The payment of cash-in-lieu of applicable parkland dedication.**
- 4. The Payment of Road and Related Service of the applicable Town-wide Development Charges.**
- 5. That an Entrance Permit be obtained from the County of Grey's Transportation Department for the severed parcel.**
- 6. That Council enact a Zoning By-law Amendment to recognize the proposed rural residential lot.**
- 7. That conditions of Consent Nos. B12-2010, B14-2010 and B15-2010 are completed.**

AND THAT Council authorize Consent No. B14-2010, subject to the following conditions:

- 1. That the Applicant meet all the requirements, financial and otherwise of the Town, for the Certificate of Consent to be issued.**
- 2. That the Applicant provide a description of the land which can be registered in the Land Registry Office.**
- 3. The payment of cash-in-lieu of applicable parkland dedication.**
- 4. The Payment of Road and Related Service of the applicable Town-wide Development Charges.**
- 5. That an Entrance Permit be obtained from the County of Grey's Transportation Department for the severed parcel.**
- 6. That Council enact a Zoning By-law Amendment to recognize the proposed rural residential lot.**
- 7. That conditions of Consent Nos. B12-2010, B13-2010 and B15-2010 are completed.**

AND THAT Council authorize Consent No. B15-2010, subject to the following conditions:

- 1. That the Applicant meet all the requirements, financial and otherwise of the Town, for the Certificate of Consent to be issued.**
- 2. That the Applicant provide a description of the land which can be registered in the Land Registry Office.**
- 3. The payment of cash-in-lieu of applicable parkland dedication.**
- 4. The Payment of Road and Related Service of the applicable Town-wide Development Charges.**
- 5. That an Entrance Permit be obtained from the County of Grey's Transportation Department for the severed parcel.**
- 6. That Council enact a Zoning By-law Amendment to recognize the proposed rural residential lot.**
- 7. That conditions of Consent Nos. B12-2010, B13-2010 and B14-2010 are completed.**

AND FURTHER THAT Council enact a Zoning By-law Amendment to recognize the proposed four rural residential lots; and delineate the natural heritage lands associated with the significant woodlands and associated adjacent lands to protect from development.

B. Background

The proponents submitted to the Town Applications for Consent File Nos. B12-2010, B13-2010, B14-2010 and B15-2010; as well as a related application for Zoning By-law Amendment submitted in conjunction with the consents in December 2010. The intent of these applications is to propose four new rural residential lots that front onto Grey Road 19.

The subject lands are located on the northwest side of intersection of Grey Road 19 and 4th Line, west of the Castle Glen development with a civic address of 595584 4th Line on the retained parcel.

It should be noted that the subject lands do not front municipal water or sewer services, as the farmstead area is connected to a private on-site well and septic system, being that the subject lands are within the rural service area.

The subject lands are comprised of 82.1 hectares that are currently used for agricultural purposes, while there is approximately 25 hectares of significant woodlands on the westerly and northerly sides, as illustrated in the May 2006 aerial photography (see Attached Item #1).

The lands are owned by 2117568 Ontario Inc, whom Norris Monaghan is the President of the Corporation. Norris Monaghan has authorized Kris Menzies of MHBC Planning to act on his behalf on these planning applications. The Agent has submitted a Planning Justification Report and an associated Environmental Impact Study (EIS) that has been completed by their environmental team of Hensel Design Group, in support of these planning applications. Additional planning justification for the revised lot layouts were received based on Grey County Transportation Department public meeting comments were received on the matter, as well as a breeding bird survey and review of the revised lot layouts by Hensel Design Group.

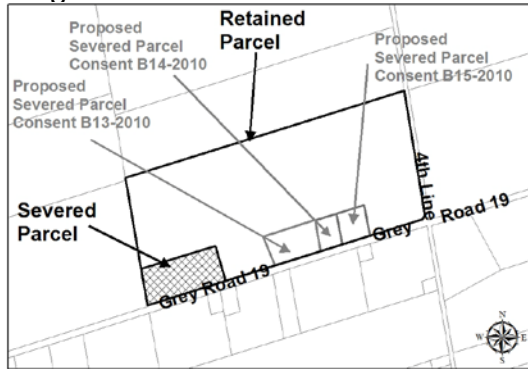
The surrounding uses include agricultural and rural residential lands in all directions, save and except to the east, where the Castle Glen development is designated under the Official Plan (OPA #5) for future residential growth with an associated golf course on the lands.

Application for Consent File No. B12-2010

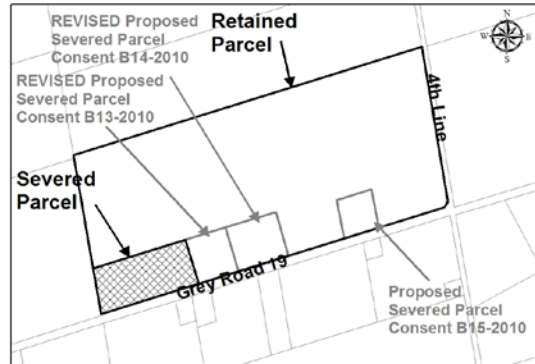
The purpose of Application for Consent File No. B12-2010 was to sever a 6.5 hectare vacant rural residential parcel on the south-western portion of the property; while

retaining a 75.6 hectare rural agricultural parcel, containing an existing dwelling and two barns.

Original Submission:



For Consideration of Approval:



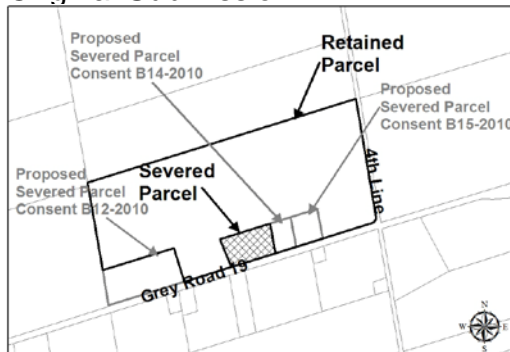
The draft lot line on the easterly extent would follow the existing line of mature trees, serving as a natural line break, approximately 120 metres to the east of the forested area (significant woodlands), while providing adequate depth to the proposed lot to provide a suitable building area and for on-site private services. It is noted that lot frontage is approximately 395 metres, while lot depth is approximately 171 metres.

Application for Consent File No. B13-2010

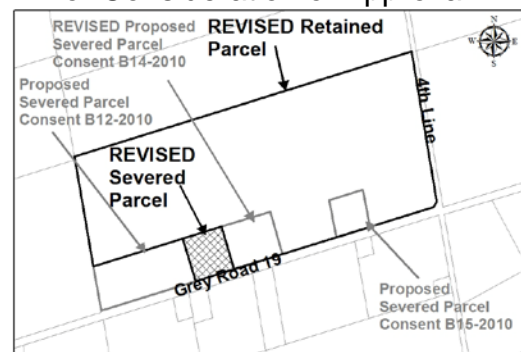
The purpose of Application for Consent File No. B13-2010 was to sever a 3.5 hectare vacant rural residential parcel on the south portion of the property; while retaining a 72.1 hectare rural agricultural parcel, containing an existing dwelling and two barns. This application was revised due to public meeting comments from the County of Grey Transportation Department which noted there would not be any entrance opportunities onto Grey Road 19 due to the vertical curvature of this segment of the road due to restricted ingress/egress sightlines.

The Revised Application for Consent File No. B13-2010 was to sever a 2.7 hectare vacant rural residential parcel on the south portion of the property; while retaining a 72.9 hectare rural agricultural parcel, containing an existing dwelling and two barns. This transferred a lot area of 0.8 hectares from severed to the retained parcel with the modification, while shifting the proposed lot location further east along Grey Road 19.

Original Submission:



For Consideration of Approval:



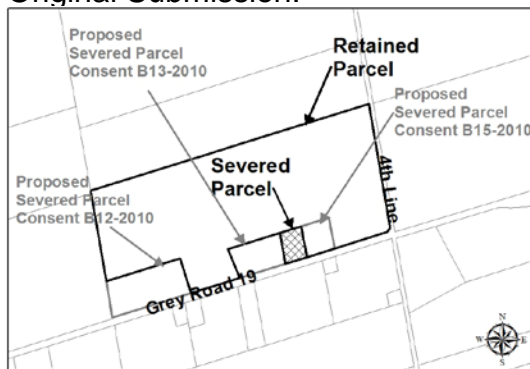
Due to the adjustment for entrance restrictions, it was requested to adjust the site location of the proposed lot to abut the first proposed lot and utilize the same depth to be consistent in lot shape. It is noted that lot frontage is approximately 157 metres, while lot depth is approximately 171 metres.

Application for Consent File No. B14-2010

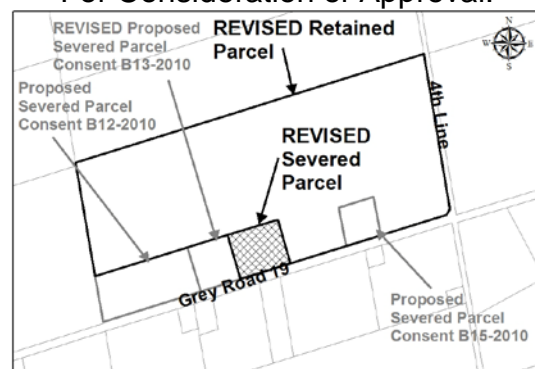
The purpose of Application for Consent File No. B14-2010 was to sever a 1.6 hectare vacant rural residential parcel on the south portion of the property; while retaining a 70.5 hectare rural agricultural parcel, containing an existing dwelling and two barns. This application was revised due to public meeting comments from the County of Grey Transportation Department which noted there would not be any entrance opportunities onto Grey Road 19 due to the vertical curvature of this segment of the road due to restricted ingress/egress sightlines.

The Revised Application for Consent File No. B14-2010 was to sever a 3.4 hectare vacant rural residential parcel on the south portion of the property; while retaining a 68.7 hectare rural agricultural parcel, containing an existing dwelling and two barns. This transferred a lot area of 1.8 hectares from retained to the severed parcel with the modification, while shifting the proposed lot location further east along Grey Road 19.

Original Submission:



For Consideration of Approval:



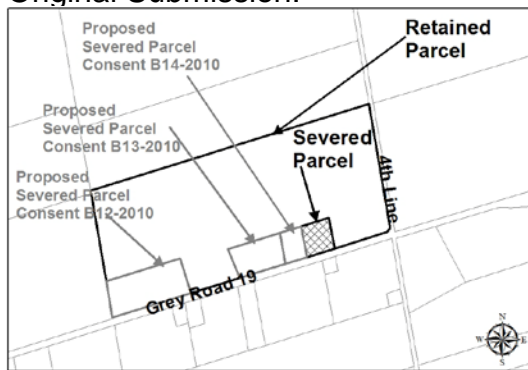
Due to the adjustment for entrance restrictions, it was requested to adjust the site location of the proposed lot to abut the first and second proposed lot and utilize the same depth to be consistent in lot shape. The easterly lot line would coincide with the easterly terminus of the forested area for the first 90 metres of depth and then continuing the lot line segment northward to the same depth as the first two lots. It is noted that lot frontage is approximately 196 metres, while lot depth is approximately 171 metres.

Application for Consent File No. B15-2010

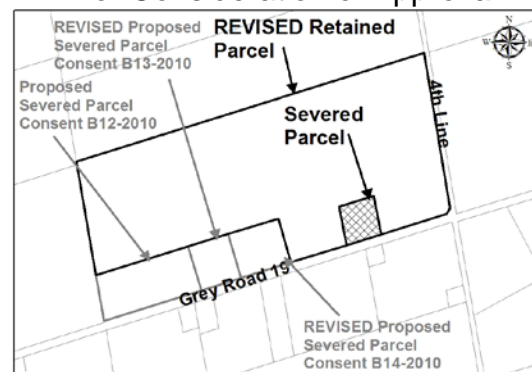
The purpose of Application for Consent File No. B15-2010 was to sever a 2.0 hectare vacant rural residential parcel on the south portion of the property; while retaining a 68.5 hectare rural agricultural parcel, containing an existing dwelling and two barns.

Due to the lot area revisions to B13-2010 and B14-2010, this revised the retained area of the parcel on Application for Consent File No. B15-2010, noting that the request was to sever a 2.0 hectare vacant rural residential parcel on the south portion of the property; while retaining a 66.7 hectare rural agricultural parcel, containing an existing dwelling and two barns.

Original Submission:



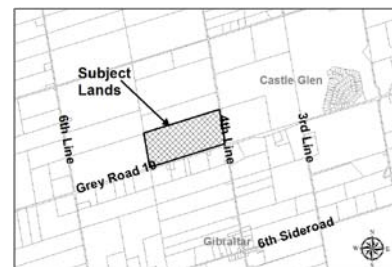
For Consideration of Approval:



The draft lot line on the easterly and westerly extents would follow the existing line of field stone fence walls, serving as a natural line break. The proposed rear lot line would also coincide with the 40 metre jump between the existing lines of field stone fence walls. It is noted that lot frontage is approximately 137 metres, while lot depth is approximately 148 metres.

Application for Zoning By-law Amendment

The Proponent has also filed an Application for Zoning By-Law Amendment in conjunction with the consent. An amendment is required to rezone the four severed rural residential parcels to a rural residential zoning and to protect the environmental constraints that exist on the subject lands from development, utilizing the Hazard Zone.



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 these four lot creation proposals under Section 1.1.4, Rural Areas in Municipalities; and Section 2.1 Natural Heritage.

With regards to Section 1.1.4, Planning Staff notes that within the rural areas limited residential development is permitted, provided that the new land uses comply with the minimum distance separation (MDS) formulae. It should be noted that the proposal complies with MDS which is detailed later on in this report.

With regards to Section 2.1, Planning Staff notes that development and site alteration will not be permitted in significant habitat or endangered species and threatened species. Further, development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas, unless the ecological function of the adjacent lands has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions. Again an EIS has been submitted with these applications, noting no issues of concern, as detailed later on in this report.

Planning Staff are of the opinion that these four lot creation proposals are consistent with the PPS-2005, raising no issues of Provincial significance.

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 Rural within the County of Grey Official Plan. Section 2.3.2 of the Official Plan permits low density non-farm residential, provided that it meets the development criteria set out under Section 2.3.3 of the Official Plan.

Section 2.3.3(1)(b) of the Official Plan states that an adequate separation distance shall be maintained between non-farm development and existing livestock uses. Again, it should be noted that the proposal complies with MDS which is detailed later on in this report.

Section 2.3.4 of the Official Plan allows for non-farm residential development provided that the severed and retained parcels have a minimum frontage of 100 metres and a maximum lot density of 4 lots per 40 hectares is not exceeded. Planning Staff note that the severed and retained parcels are all above the minimum lot frontage requirement and are well below the maximum lot density with this proposal, as there would be 5 lots on 82.1 hectares.

Section 2.8.5 of the Official Plan states that, no development or site alteration shall be permitted within the areas of significant threatened and endangered species. Development and site alteration may be permitted in the adjacent lands, provided an

acceptable EIS is completed. Again an EIS has been submitted with these applications, noting an interest in protecting the significant woodlands and associated adjacent lands, as detailed later on in this report.

Section 5.2.2(6)(f) of the Official Plan states that any applications for development shall be referred to the appropriate approval authority as the lands are abutting a County Road. Planning Staff note that comments have been received from County of Grey Transportation Department, as they have road authority for Grey Road 19.

Therefore it is Planning Staff's opinion that the proposal conforms to the County Official Plan for these four lot creation proposals.

Town of The Blue Mountains Official Plan

The Town of The Blue Mountains Official Plan designates the subject lands as Rural (R). The intent and purpose of the Rural designation is to provide for the continuation of agricultural practices in areas of generally lower capability soils while permitting other uses considered compatible with the rural environment. Permitted uses include rural residential consents for non-farm residential or hobby farm purposes, provided they are permitted on a very limited basis.

Section 4.2.5 policies as they relate to rural residential consents generally require a minimum lot frontage of 150 metres and minimum lot area of 10 hectares. Smaller lots down to a minimum lot frontage of 100 metres with a minimum lot area of 0.8 hectares may be considered where a lot would unnecessarily encompass productive farm lands or physical constraints promote a more practical division of land. Further, in no case shall more than 3 lots be created per original ½ Township lot (40 hectares) in order to keep a reduced lot density in the rural area of the Town.

Planning Staff note that these four lot creation proposals would be creating a range of lots between 2.0 hectares and 6.5 hectares in lot area, as this promotes keeping more of the farm land together and utilizing existing natural line breaks; and all exceeding the minimum lot frontage requirement of 100 metres, ranging between 137 metres and 395 metres respectively. With respect to lot density, again it is noted that the lands are 82.1 hectares (Township Lot), Consent's B12-2010 and B13-2010 severed parcels and the remnant parcel achieves the three lots count on West Half Lot 10, Concession 5; while Consent's B14-2010 and B15-2010 severed parcels and the remnant parcel achieves the three lots count on East Half Lot 10, Concession 5. It is note that the severed parcel on Consent B14-2010 straddles the the half township lot, but meet the overall policy intent of the plan due to limited entrance opportunities onto Grey Road 19.

Rural residential consent policies further require rural non-farm residential uses to maintain the open space character of the area, and should possess scenic or recreational featured and/or vegetated building area which will substantially screen the use from the public. Planning Staff note that can be achieved with the revised lot fabric layout with the natural features on the subject lands, while balancing out entrance restrictions and minimizing the impact of the farmed lands.

Section 7.4(6) of the Official Plan notes that access to the County Roads shall be discouraged, as they are functioning as arterial roads; and use of secondary road access shall be encouraged. In this case, the proposed four lots only front onto Grey Road 19. Section 7.3.2(4) of the Official Plan further limits six access points per side per kilometre. Planning Staff notes that there is one existing entrance (hunt camp in small wooded area), with 4 proposed entrances – one for each lot, for a total of 5 accesses within the 1,383 metres of frontage along Grey Road 19.

The subject lands are constrained by Rare Species Occurrences (Appendix D of Official Plan) and development or site alteration may be permitted once an EIS demonstrates no negative impacts, as noted under Section 8.10 of the Official Plan. Planning Staff note that an EIS was submitted with the original applications, followed by an addendum addressing breeding birds and a memorandum on the revised lot configuration. It is noted that rare species included at least five (5) butternut trees within the significant woodlands area, as well as numerous bobolinks sited all over the subject lands. Through agency review processes with County of Grey Planning Department, Grey Sauble Conservation Authority (GSCA), and Ministry of Natural Resources (MNR) – the agencies note that the bobolink's habitat is not significant and that the significant woodlands on the subject property should be protected from development. Through the recommendations of the GSCA the adjacent lands shall reduced from the Natural Heritage Manual width of 120 metres (Grey County adopted Official Plan recommends 50 metres) to a width of 30 metres to aid in minimizing the impact on the significant woodlands, based on information contained within the EIS. Planning Staff recommends that this be implemented through the zoning by-law amendment application.

Cultural Heritage Resources policies, under Section 8.11 of the Official Plan, note the importance of man-made features. Policies further promote the conservation, preservation and enhancement of these features, as further supported by the Town-wide Cultural Heritage Landscape Assessment Study that was completed in 2009. The proposed lot fabric for the 4 lots have regard for utilizing existing natural line breaks of rock and wire fencing on the subject lands, while balancing the limitations to agricultural impact and entrance limitations. The rural general development policies under Section 3.2.3 of the Official Plan, further requires that proposed lot creations generally follow cultural and natural features, as appropriate in this case.

Section 8.13 requires that Minimum Distance Separation (MDS) be applied to all new land uses, such as lot creation. MDS Formula I (MDS-I) provides minimum distance separation for new development from existing livestock facilities. The creation of new lots shall also comply with these provisions in a manner which will ensure dwellings meet the MDS formula. The MDS calculations has determined that one existing barn on the retained parcel impacts a portion of the severed parcel of Consent B15-2010, with the MDS-I setback (see Attached Item #1). This will prohibit the proposed new dwelling for the new lot to be located within these identified MDS-I setback areas, limiting the odour conflict. A suitable location must be identified for a one (1) hectare building envelope for the proposed dwelling outside of the MDS-I setback, as noted in the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) MDS Guidelines. It was determined that a suitable

location for single detached dwelling could be located outside of the arc of influence of the existing barn on the retained parcel.

There are consent policies under Section 9.3 of the Official Plan. Planning Staff notes that the development proposal would appear to conform to these consent policies, as further supported by the commentary above.

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

Zoning By-law

The subject lands are zoned General Rural (A1) within the Township of Collingwood Zoning By-law 83-40. Permitted uses within the General Rural (A1) Zone include agricultural uses, a single detached dwelling on one lot, forestry and conservation, as well as uses, buildings and structures accessory to those uses. The minimum lot area requirement of the General Rural (A1) Zone is 20 hectares respectively.

An amendment is required to rezone the four severed rural residential parcels to a rural residential zoning and to protect the environmental constraints that exist on the subject lands from development, utilizing the Hazard Zone.

The four proposed rural residential lots, would need to be rezoned into the Rural Estate Residential (RER(b)) Zone and Rural Estate Residential (RER(c)) Zone to obtain compliance. The RER(b) Zone has minimum lot frontage of 90 metres and minimum lot area is 2.0 hectares. The RER(c) Zone has minimum lot frontage of 125 metres and minimum lot area is 4.0 hectares. Planning Staff recommends that the severed parcel of Consent B12-2010 be rezoned to the RER(c) Zone due to its larger lot frontage (395 metres) and lot area (6.5 hectares) to trigger zoning compliance situation in a future lot creation situation (ie. lot split). Further, Planning Staff recommends that the severed parcels of Consent B13-2010, B14-2010 and B15-2010 be rezoned to the RER(c) Zone due to their lot frontages ranging from 137 metres to 196 metres and lot area ranging from 2.0 hectares to 3.4 hectares in so which will trigger zoning compliance situation in a future lot creation situation (ie. lot split).

It is noted that the severed parcel of Consent B12-2010 would have two zones, as a majority of it would be zoned Hazard (H), as rationalized above with the significant woodlands and the associated 30 metre adjacent lands.

Protection of the significant woodlands is required, based on commentary from the EIS, and will conform to the adopted County Official Plan's significant woodland policies. Planning Staff recommend that the forested area on the westerly and northerly portions on the subject property be protected from development, as well as 30 metre adjacent lands, as confirmed through the GSCA to the Hazard Zone.

Additional Comments

Agency Comments

Comments were received from the County of Grey - Planning and Development Department; County of Grey – Transportation Department; GSCA; and Historic Saugeen Metis. These comments are summarized below.

The County of Grey - Planning and Development Department have no issues of concern, provided that the positive recommendations of the MNR are implemented and that positive comments are received from the County from County of Grey Transportation Department.

MNR provided technical comments and advise that the development is not within significant habitat of Bobolink. MNR would also agree that there would likely be no impacts to any potential significant habitat within 120 metres. It should be noted that given species and habitat provisions under the *Endangered Species Act (2007)* for threatened and endangered species still apply. It would be the recommendation of MNR to avoid construction during the breeding season to avoid any potential negative impacts to Bobolink. With respect to butternuts which all are contained within the significant woodlands, the EIS indicated that there will no site alteration within 25 metres and no development is proposed within this woodland feature. The woodland feature would also be provided with a Hazard Lands designation to restrict development in that area. The information provided from the environmental consultant also provides adequate clarification on the area searched for potential Butternut tree species (100m). If the landowner is considering removal of a Butternut, it is a landowner's responsibility to contact a qualified Butternut Health Assessor to determine if a Butternut tree is retainable or not.

The County of Grey – Transportation Department have no issues of concern with the revised proposal, as there were limited sightlines with the vertical curvatures of the road segment which precluded access for the two of the original proposed consents. Planning Staff notes that the four lot creations front onto Grey Road 19, where each residential lot will require an entrance. Consent B14-2010 severed parcel's entrance would be at the western end of the lot due to limited sightlines; and Consent B15-2010 severed parcel's entrance would be at the eastern end of the lot due to limited sightlines.

The GSCA has no issues of concern, as the proposed zoning by-law amendment recognizes and protects the significant woodlands (inclusive of the butternut trees) and the associated adjacent lands from development. It is noted that the Grey Bruce Groundwater Study has a karst constraint mapped and identified on part of the severed parcel of Consent B13-2010, but field work does not depict any obvious signs of karst. Planning Staff further notes that any structure and/or private on-site septic system will need to ensure there are adequate soils to support such use through the Ontario Building Code requirements, when filing for permit(s) with the Town.

The Historic Saugeen Metis has no issues of concern.

Interdepartmental Comments

Comments were received from Engineering and Public Works Department (EPW), having no issues of concern with the proposal.

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 March 3, 2010, the placards for consent and zoning by-law amendment were posted on-site to the south of the existing entrance to the farmstead on 4th Line, along with a mail out circulation of the Notices to area assessed property owners and publication in the February 9, 2011 edition of The Courier-Herald Newspaper (zoning by-law amendment notice only).

The public meeting was held on March 7, 2011, as required under the *Planning Act*. No outstanding additional comments were received through the Planning and Building Committee of Council Meeting with the public in attendance at the public meeting.

Written Correspondence Received From the Public

No written comments were received from the public on the proposal.

Additional Comments

Planning Staff recommend that as a condition of approval to the four consents that the Applicant meet all the requirements, financial and otherwise of the Town for the Certificate of Consent to be issued.

Further, Planning Staff recommend that as a condition of approval to the four consents that the applicant provides a description of the land to be severed which can be registered in the Land Registry Office.

Further, Planning Staff recommend that as a condition of approval to the four consents that the payment of parkland dedication charges for the creation of a new lots. To-date, this would be in accordance with the payment in-lieu of parkland interim policy that was established by the Town Council at \$650 per lot, but will be reviewed at the time when the proponent clears the condition of consent.

Further, Town Staff recommend that as a condition of approval to the four consents that the proponent pay the “hard” service component (being road and related service

in the rural service area) of the Town-wide uniform development charge in accordance with By-law 2010-18. It should be noted that these are the existing applicable Development Charge By-laws for rates as of the date of this report being considered by Council and that the proponent would have to pay the rate that is in effect at time of payment. The “soft” service component of the Town-wide uniform development charge (general government, fire, police, public works, parks and recreation and library) will be applicable for the development of a single detached dwelling on the severed parcel and will be required to be payable prior to building permit issuance, as well as any top ups to the hard service components based on the proposed gross floor area of the dwelling. As of the date of this report being considered by Council, it would be in accordance with By-law 2010-18, but again, the proponent would have to pay the rate that is in effect at time of payment.

Further, Planning Staff recommend that as a condition of approval to the four consents that the proponent will be required to obtain an Entrance Permit from the County of Grey – Transportation Department for the severed parcel, to ensure that access is obtained to the proposed new lot.

Further, Planning Staff recommend that as a condition of approval to the four consents that Council enacts the zoning by-law amendment, as proposed earlier in this report.

Furthermore, Planning Staff recommend that as a condition of approval to the four consents that the conditions of consent on the other associated consent applications be completed. Planning Staff notes that this will ensure all four consents will be considered together as one comprehensive project, as submitted by the proponents.

Summary

Based on the foregoing, it is the opinion of Planning Staff that the proposed four consents and 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 these applications for four consents and zoning by-law amendment subject to the conditions noted in this report.

C. The Blue Mountains’ Strategic Plan

The recommendation in this Planning Staff Report PL.12.16 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. In Consultation With

Planning Staff has circulated the Notices of the applications to all Town Departments for comment. These comments, if any, are noted above in this report under the subheading of Interdepartmental Comments.

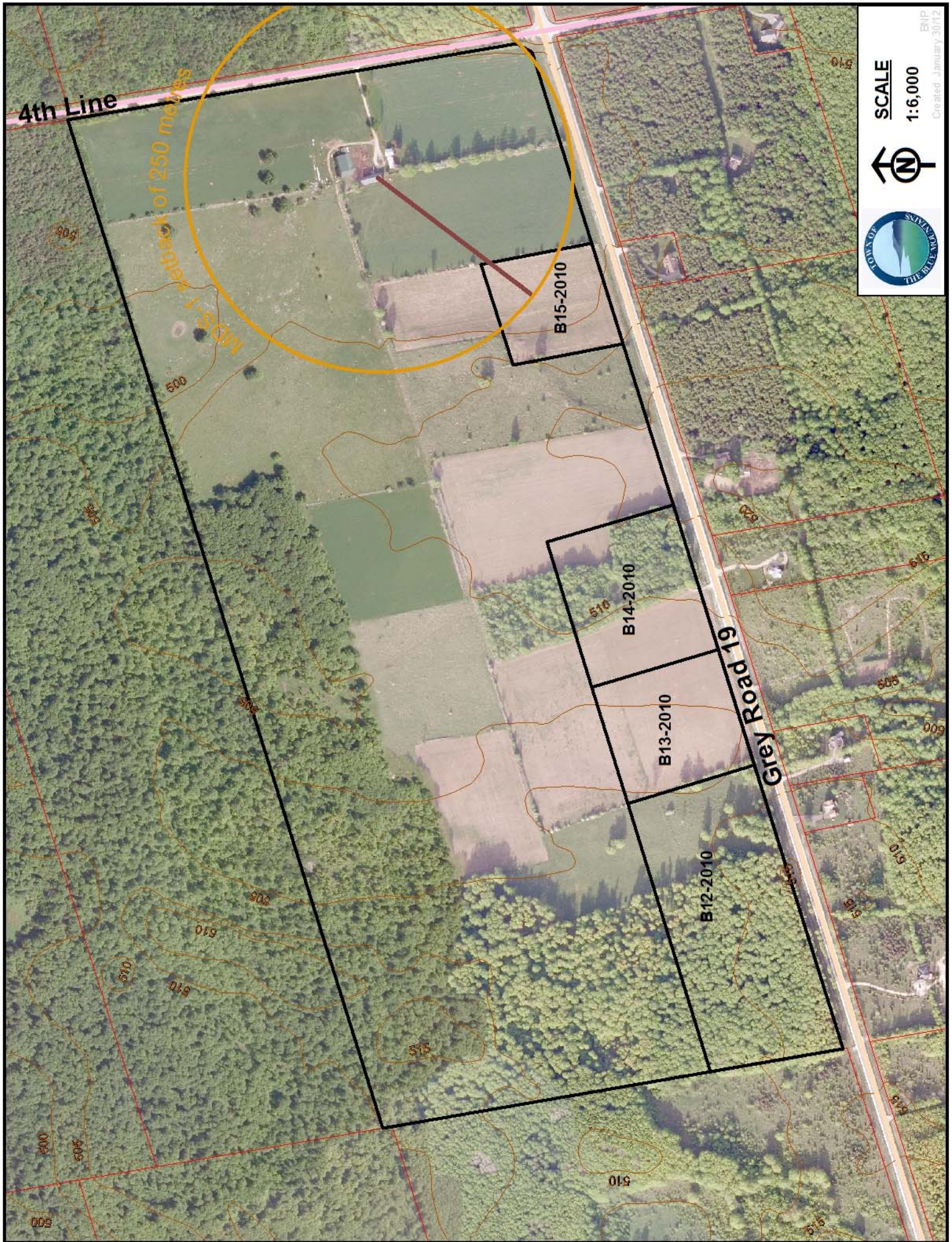
G. Attached

1. Aerial Photograph of the Subject Lands, May 2006
2. Draft Decision of Consent Application No. B12-2010
3. Draft Decision of Consent Application No. B13-2010
4. Draft Decision of Consent Application No. B14-2010
5. Draft Decision of Consent Application No. B15-2010
6. Draft Zoning By-law Amendment

Respectfully submitted,

Bryan Pearce, HBA, CPT
Planner I
32 Mill Street, PO Box 310
Thornbury, ON NOH 2PO
Phone: 519-599-3131 ext.269
Fax: 519-599-7723
bpearce@thebluemountains.ca

David Finbow
Director of Planning & Building Services Department
32 Mill Street, PO Box 310
Thornbury, ON NOH 2PO
Phone: 519-599-3131 ext.246
Fax: 519-599-7723
dfinbow@thebluemountains.ca



4th Line

Setback of 250 metres

B15-2010

B14-2010

B13-2010

B12-2010

Grey Road 169

SCALE

1:6,000



BNP
Created: January 2012



**THE CORPORATION OF THE
TOWN OF THE BLUE MOUNTAINS
DECISION ON CONSENT APPLICATION FILE NO. B12-2010**

OWNER/APPLICANT: 2117568 Ontario Inc, c/o Norris Monaghan
AGENT: Kris Menzies, MHBC Planning

PURPOSE AND EFFECT: The purpose of this consent is to consider a request to sever a 6.5 hectare vacant rural residential parcel on the south-western portion of the property; while retaining a 75.6 hectare rural agricultural parcel, containing an existing dwelling and two barns.

This consent is submitted in conjunction with Consent Applications Nos. B13-2010, B14-2010 and B15-2010; and an application for Zoning By-law Amendment. The Agent has submitted a Planning Justification Report and Environmental Impact Study in support of these planning applications.

LEGAL DESCRIPTION: Part Lot 10, Concession 5

SEVERED PARCEL: **FRONTAGE:** 395.0 m. **DEPTH:** 171.0 m. **AREA:** 6.5 hectares
RETAINED PARCEL: **FRONTAGE:** 592.9 m. **DEPTH:** 988.0 m. **AREA:** 75.6 hectares

HAVING ACCESS ON: Open and Maintained Municipal Road (4th Line) and Open and Maintained County Road (Grey Road 19)

MUNICIPAL WATER: No **MUNICIPAL SEWER:** No

DECISION: GRANTED PROVISIONAL CONSENT
(IF GRANTED, CONSENT EXPIRES TWO YEARS FROM CERTIFICATE OF CONSENT DATE)

DATE OF DECISION: February _____, 2012

In making the decision upon this application for consent, the Council of the Town of The Blue Mountains is satisfied that:

- The proposed lot creation would appear to conform with the direction of the Town of The Blue Mountains Official Plan and represents good planning.

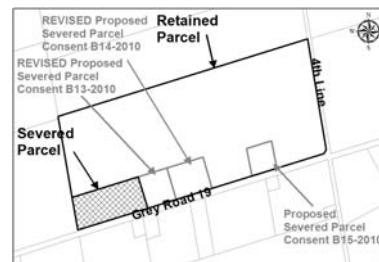
NOTICE - The last date for appealing this decision or any of the conditions is:
March _____, 2012

IF PROVISIONAL CONSENT IS GIVEN, THEN THE FOLLOWING CONDITIONS MUST BE MET BY:
February _____, 2013

1. That the Applicant meet all the requirements, financial and otherwise of the Town, for the Certificate of Consent to be issued.
2. That the Applicant provide a description of the land which can be registered in the Land Registry Office.
3. The payment of cash-in-lieu of applicable parkland dedication.
4. The Payment of Road and Related Service of the applicable Town-wide Development Charges.
5. That an Entrance Permit be obtained from the County of Grey's Transportation Department for the severed parcel.
6. That Council enact a Zoning By-law Amendment to recognize the proposed rural residential lot; and delineate the natural heritage lands associated with the significant woodlands and associated adjacent lands to protect from development.
7. That conditions of Consent Nos. B13-2010, B14-2010 and B15-2010 are completed.

Signature of Corrina Giles, Clerk,
Town of The Blue Mountains
32 Mill Street, Thornbury, Ont., N0H 2P0
Email: cgiles@thebluemountains.ca

Dated: February _____, 2012



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You will be entitled to receive notice of any changes to the conditions of the provisional consent if you have made a written request to be notified of changes to the conditions of the provisional consent.

Additional information regarding this consent may be obtained by attending the Office of the Town Clerk, 32 Mill Street, Thornbury, Ontario N0H 2P0 between the hours of 8:30 a.m. and 4:30 p.m. Monday to Friday, or by calling 888-258-6867 or 519-599-3131.

CERTIFICATION

Planning Act, R.S.O 1990, c. P.13, Sec 53(17) and 53(24), as amended

I, Corrina Giles, Clerk of The Corporation of the Town of The Blue Mountains, certify that the above is a true copy of the decision of the Council of the Town of The Blue Mountains with respect to the application recorded therein.

Signature of Corrina Giles, Clerk
Town of The Blue Mountains
32 Mill Street, Thornbury, Ont., N0H 2P0
Email: cgiles@thebluemountains.ca

Dated: February ____, 2012



**THE CORPORATION OF THE
TOWN OF THE BLUE MOUNTAINS
DECISION ON CONSENT APPLICATION FILE NO. B13-2010**

OWNER/APPLICANT: 2117568 Ontario Inc, c/o Norris Monaghan
AGENT: Kris Menzies, MHBC Planning

PURPOSE AND EFFECT: The purpose of this consent is to consider a request to sever a 2.7 hectare vacant rural residential parcel on the south portion of the property; while retaining a 72.9 hectare rural agricultural parcel, containing an existing dwelling and two barns.

This consent is submitted in conjunction with Consent Applications Nos. B12-2010, B14-2010 and B15-2010; and an application for Zoning By-law Amendment. The Agent has submitted a Planning Justification Report and Environmental Impact Study in support of these planning applications.

LEGAL DESCRIPTION: Part Lot 10, Concession 5

SEVERED PARCEL: **FRONTAGE:** 157.0 m. **DEPTH:** 171.0 m. **AREA:** 2.7 hectares
RETAINED PARCEL: **FRONTAGE:** 592.9 m. **DEPTH:** 789.0 m. **AREA:** 72.9 hectares

HAVING ACCESS ON: Open and Maintained Municipal Road (4th Line) and Open and Maintained County Road (Grey Road 19)

MUNICIPAL WATER: No **MUNICIPAL SEWER:** No

DECISION: GRANTED PROVISIONAL CONSENT
(IF GRANTED, CONSENT EXPIRES TWO YEARS FROM CERTIFICATE OF CONSENT DATE)

DATE OF DECISION: February _____, 2012

In making the decision upon this application for consent, the Council of the Town of The Blue Mountains is satisfied that:

- The proposed lot creation would appear to conform with the direction of the Town of The Blue Mountains Official Plan and represents good planning.

NOTICE - The last date for appealing this decision or any of the conditions is:

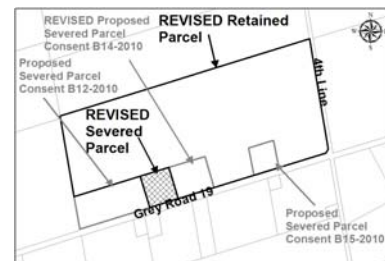
March _____, 2012

IF PROVISIONAL CONSENT IS GIVEN, THEN THE FOLLOWING CONDITIONS MUST BE MET BY:
February _____, 2013

1. That the Applicant meet all the requirements, financial and otherwise of the Town, for the Certificate of Consent to be issued.
2. That the Applicant provide a description of the land which can be registered in the Land Registry Office.
3. The payment of cash-in-lieu of applicable parkland dedication.
4. The Payment of Road and Related Service of the applicable Town-wide Development Charges.
5. That an Entrance Permit be obtained from the County of Grey's Transportation Department for the severed parcel.
6. That Council enact a Zoning By-law Amendment to recognize the proposed rural residential lot.
7. That conditions of Consent Nos. B12-2010, B14-2010 and B15-2010 are completed.

Signature of Corrina Giles, Clerk,
Town of The Blue Mountains
32 Mill Street, Thornbury, Ont., N0H 2P0
Email: cgiles@thebluemountains.ca

Dated: February _____, 2012



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CERTIFICATION

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Signature of Corrina Giles, Clerk
Town of The Blue Mountains
32 Mill Street, Thornbury, Ont., N0H 2P0
Email: cgiles@thebluemountains.ca

Dated: February ____, 2012



**THE CORPORATION OF THE
TOWN OF THE BLUE MOUNTAINS
DECISION ON CONSENT APPLICATION FILE NO. B14-2010**

OWNER/APPLICANT: 2117568 Ontario Inc, c/o Norris Monaghan
AGENT: Kris Menzies, MHBC Planning

PURPOSE AND EFFECT: The purpose of this consent is to consider a request to sever a 3.4 hectare vacant rural residential parcel on the south portion of the property; while retaining a 68.7 hectare rural agricultural parcel, containing an existing dwelling and two barns.

This consent is submitted in conjunction with Consent Applications Nos. B12-2010, B13-2010 and B15-2010; and an application for Zoning By-law Amendment. The Agent has submitted a Planning Justification Report and Environmental Impact Study in support of these planning applications.

LEGAL DESCRIPTION: Part Lot 10, Concession 5

SEVERED PARCEL: **FRONTAGE:** 196.0 m. **DEPTH:** 171.0 m. **AREA:** 3.4 hectares
RETAINED PARCEL: **FRONTAGE:** 592.9 m. **DEPTH:** 593.0 m. **AREA:** 68.7 hectares

HAVING ACCESS ON: Open and Maintained Municipal Road (4th Line) and Open and Maintained County Road (Grey Road 19)

MUNICIPAL WATER: No **MUNICIPAL SEWER:** No

DECISION: GRANTED PROVISIONAL CONSENT
(IF GRANTED, CONSENT EXPIRES TWO YEARS FROM CERTIFICATE OF CONSENT DATE)

DATE OF DECISION: February _____, 2012

In making the decision upon this application for consent, the Council of the Town of The Blue Mountains is satisfied that:

- The proposed lot creation would appear to conform with the direction of the Town of The Blue Mountains Official Plan and represents good planning.

NOTICE - The last date for appealing this decision or any of the conditions is:

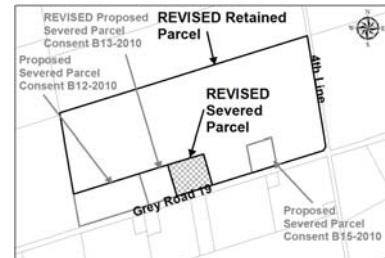
March _____, 2012

IF PROVISIONAL CONSENT IS GIVEN, THEN THE FOLLOWING CONDITIONS MUST BE MET BY:
February _____, 2013

1. That the Applicant meet all the requirements, financial and otherwise of the Town, for the Certificate of Consent to be issued.
2. That the Applicant provide a description of the land which can be registered in the Land Registry Office.
3. The payment of cash-in-lieu of applicable parkland dedication.
4. The Payment of Road and Related Service of the applicable Town-wide Development Charges.
5. That an Entrance Permit be obtained from the County of Grey's Transportation Department for the severed parcel.
6. That Council enact a Zoning By-law Amendment to recognize the proposed rural residential lot.
7. That conditions of Consent Nos. B12-2010, B13-2010 and B15-2010 are completed.

Signature of Corrina Giles, Clerk,
Town of The Blue Mountains
32 Mill Street, Thornbury, Ont., N0H 2P0
Email: cgiles@thebluemountains.ca

Dated: February _____, 2012



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Signature of Corrina Giles, Clerk
Town of The Blue Mountains
32 Mill Street, Thornbury, Ont., N0H 2P0
Email: cgiles@thebluemountains.ca

Dated: February ____, 2012



**THE CORPORATION OF THE
TOWN OF THE BLUE MOUNTAINS
DECISION ON CONSENT APPLICATION FILE NO. B15-2010**

OWNER/APPLICANT: 2117568 Ontario Inc, c/o Norris Monaghan
AGENT: Kris Menzies, MHBC Planning

PURPOSE AND EFFECT: The purpose of this consent is to consider a request to sever a 2.0 hectare vacant rural residential parcel on the south portion of the property; while retaining a 66.7 hectare rural agricultural parcel, containing an existing dwelling and two barns.

This consent is submitted in conjunction with Consent Applications Nos. B12-2010, B13-2010 and B14-2010; and an application for Zoning By-law Amendment. The Agent has submitted a Planning Justification Report and Environmental Impact Study in support of these planning applications.

LEGAL DESCRIPTION: Part Lot 10, Concession 5

SEVERED PARCEL: **FRONTAGE:** 137.0 m. **DEPTH:** 148.0 m. **AREA:** 2.0 hectares
RETAINED PARCEL: **FRONTAGE:** 592.9 m. **DEPTH:** 456.0 m. **AREA:** 66.7 hectares

HAVING ACCESS ON: Open and Maintained Municipal Road (4th Line) and Open and Maintained County Road (Grey Road 19)

MUNICIPAL WATER: No **MUNICIPAL SEWER:** No

DECISION: GRANTED PROVISIONAL CONSENT
(IF GRANTED, CONSENT EXPIRES TWO YEARS FROM CERTIFICATE OF CONSENT DATE)

DATE OF DECISION: February _____, 2012

In making the decision upon this application for consent, the Council of the Town of The Blue Mountains is satisfied that:

- The proposed lot creation would appear to conform with the direction of the Town of The Blue Mountains Official Plan and represents good planning.

NOTICE - The last date for appealing this decision or any of the conditions is:

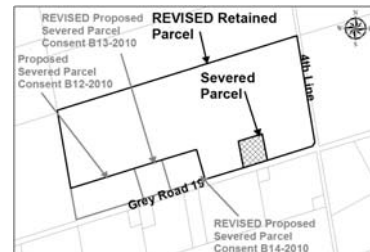
March _____, 2012

IF PROVISIONAL CONSENT IS GIVEN, THEN THE FOLLOWING CONDITIONS MUST BE MET BY:
February _____, 2013

1. That the Applicant meet all the requirements, financial and otherwise of the Town, for the Certificate of Consent to be issued.
2. That the Applicant provide a description of the land which can be registered in the Land Registry Office.
3. The payment of cash-in-lieu of applicable parkland dedication.
4. The Payment of Road and Related Service of the applicable Town-wide Development Charges.
5. That an Entrance Permit be obtained from the County of Grey's Transportation Department for the severed parcel.
6. That Council enact a Zoning By-law Amendment to recognize the proposed rural residential lot.
7. That conditions of Consent Nos. B12-2010, B13-2010 and B14-2010 are completed.

Signature of Corrina Giles, Clerk,
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32 Mill Street, Thornbury, Ont., N0H 2P0
Email: cgiles@thebluemountains.ca

Dated: February _____, 2012



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CERTIFICATION

Planning Act, R.S.O 1990, c. P.13, Sec 53(17) and 53(24), as amended

I, Corrina Giles, Clerk of The Corporation of the Town of The Blue Mountains, certify that the above is a true copy of the decision of the Council of the Town of The Blue Mountains with respect to the application recorded therein.

Signature of Corrina Giles, Clerk
Town of The Blue Mountains
32 Mill Street, Thornbury, Ont., N0H 2P0
Email: cgiles@thebluemountains.ca

Dated: February ____, 2012

THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS

BY-LAW NO. 2012 - _____

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. Map A to Schedule 'A', of the Township of Collingwood Zoning By-law, being By-law 83-40 as amended is hereby further amended by rezoning the lands from the General Rural (A1) Zone to the General Rural (A1) Zone, Rural Estate Residential (RER(c)) Zone, Rural Estate Residential (RER(b)) Zone and Hazard (H) Zone for those lands lying and being in the Town of The Blue Mountains, comprised of Part Lot 10, Concession 5; 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 _____th day of _____, 2012.

Ellen Anderson, Mayor

Corrina Giles, Clerk

I hereby certify that the foregoing is a true copy of By-law No. 2012 - _____ as enacted by the Council of the Corporation of the Town of The Blue Mountains on the _____th day of February, 2012.

DATED at The Blue Mountains

this _____ day of February, 2012.

Signed: _____
Corrina Giles, Clerk

Town of The Blue Mountains

Key Map Schedule A-1

By-Law No. 2012 - _____

 Subject Lands Of This Amendment

 Area Affected By This Amendment

