

STAFF REPORT:

**Town of The Blue Mountains Planning and
Building Services Department**



REPORT TO: Mayor and Members of Council
DATE: April 15, 2009
REPORT NO.: PL.09.79
SUBJECT: Application for
Official Plan Amendment
Craigleith Ski Club
Part Lot 21, Concession 3 and 4
Town of The Blue Mountains
PREPARED BY: Shawn Postma, Planner II

A. Recommendations

THAT the Planning & Building Committee receive Planning Staff Report PL.09.79, “Application for Official Plan Amendment – Craigleith Ski Club, Part Lot 21, Concession 3 and 4, Town of The Blue Mountains”; and

THAT Council adopt Official Plan Amendment No. 17 to re-designate a portion of the subject lands so as to reduce the total number of cabins on the lands from 22 to 15 and to increase the maximum permitted ground floor area to 136.4 square metres and the maximum permitted height to 7.5 metres (for cabins 9 to 15) and 8.0 metres (for cabins 1 to 8).

B. Background

The Planning Services Division has received an application for an Official Plan Amendment from the Craigleith Ski Club in order to permit the redevelopment of the existing leasehold cabins located on the north western portion of the Ski Club property. The amendment proposes to reduce the number of existing cabins in the area in order to provide additional space for ski trail development.

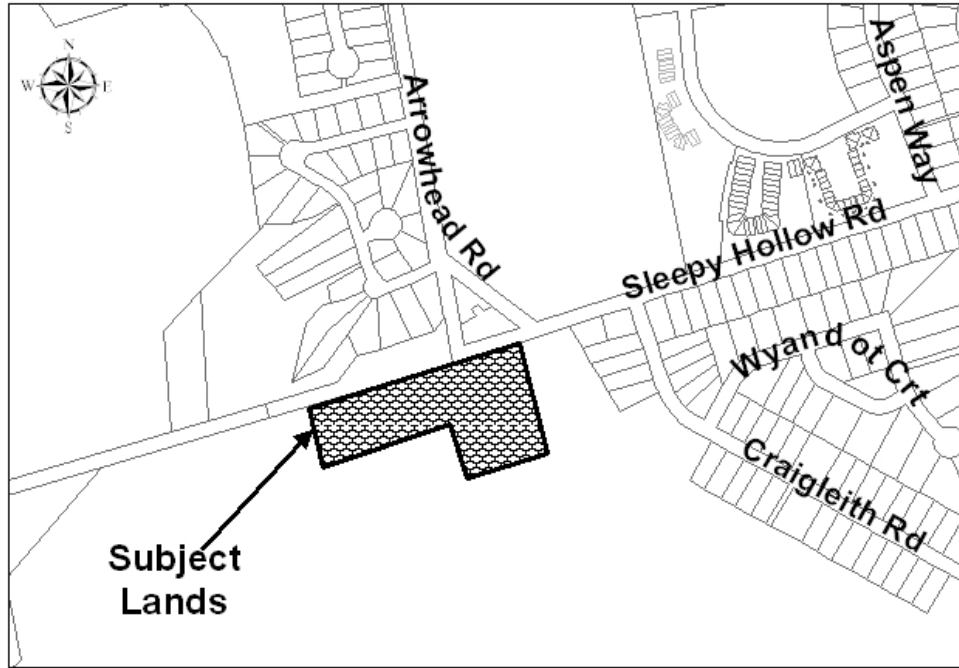
The Official Plan Amendment proposes to reduce the total number of cabins within the Escarpment ‘E-14’ designation from 22 to 15 and to modify the maximum ground floor area and height provisions as noted in Exception 14.

Draft Plan Approval has been granted, and remains in effect for the existing 22 cabins. County File No. 42-CDM-2002-05 received Draft Plan Approval in February 2004, and will expire in February 2010. It is anticipated that a separate application for red-line revision will be submitted if this Official Plan Amendment is granted.

The subject lands are located within Part Lot 21, Concession 3 and 4 located adjacent to the intersection of Arrowhead Road and Sleepy Hollow Road. The lands subject to the proposed Official Plan Amendment are approximately 1.41 hectares in size.

The lands are within the Craigleith Service Area and are currently on private or partial services (municipal water).

Location



Provincial Policy Statement

The Provincial Policy Statement (PPS) identifies that settlement areas shall be the focus of growth and their vitality and regeneration shall be promoted. Land shall be efficiently used, with consideration for intensification, redevelopment, mix of uses and densities that ensure appropriate development will take place. Planning for sewage and water services shall promote municipal sewage and municipal water services as the preferred form of servicing for settlement area.

The proposed development will be fully serviced by municipal water and sewer.

The proposed development would appear to be consistent with the PPS.

County of Grey Official Plan

The subject lands are designated Escarpment Recreation Area in the County of Grey Official Plan. Section 2.5.2(2) of the County Plan states that local Official Plans and/or Secondary Plans shall provide detailed land use policies and development criteria that are not in conflict with the provisions of the Niagara Escarpment Plan.

It is our opinion that the amendment will comply with the County of Grey Official Plan, and are not be in conflict with the provisions of the Niagara Escarpment Plan. Comments from both Grey County Planning and the Niagara Escarpment Commission are summarized later in this report.

The Blue Mountains Official Plan

The subject lands are designated Escarpment 'E-14' within the Town of The Blue Mountains Official Plan. The Escarpment designation identifies those lands in the municipality that comprise of unique natural features, escarpment slopes and environmentally sensitive lands associated with the Niagara Escarpment. Exception 14 applies to the Craigeith Ski Club and the other ski clubs that contain cabins on the escarpment slope. Exception 14 lands are intended to be converted to a Plan of Condominium and also permit the replacement, reconstruction, renovation, enlargement and/or relocation within the Plan of Condominium provided that certain criteria can be met. With respect to the Craigeith Ski Club, it is an objective to maintain and enhance the existing small, compact physical "village" cluster atmosphere and ambience as well as minimizing the physical and visual impacts on the escarpment slope. To accomplish this, the current policies require a Plan of Condominium and Condominium Development Agreement which recognizes the existing 22 cabins, permits redevelopment up to a maximum footprint of 93 square metres, permits walkout basements, and permits slight increases in height (1.22 metres for cabins 1 to 15 and 0.6 metres for cabins 16-22). For the purposes of calculating height, height shall be measured from the highest point of the roof to the lowest point of the existing grade abutting the cabin.

Consistent with the Niagara Escarpment Plan and the other ski clubs, minor expansions are permitted up to 25% of the existing floor areas. The maximum 93 square metre ground floor area identified above was calculated based on the existing floor area of the 22 cabins plus 25%.

The proposed Amendment would reduce the total number of cabins on the escarpment slope from 22 to 15, and permit a new maximum ground floor area of 136.4 square metres. The new ground floor limitation is calculated by dividing the total ground floor area permitted for the 22 cabins and equally distributing that area to the 15 cabins proposed.

The proposed Amendment also proposes to increase the maximum permitted height equally over the proposed 15 cabins. A maximum height of 7.5 metres and 8.0 metres are proposed which will provide an equal distribution of heights so that the taller cabins would redevelop with less of a height increase, and the shorter cabins to redevelop with a larger height increase. In support of this revised height requirement, a 'building height cross section' drawing has been prepared illustrating the proposed changes.

It is therefore our opinion that the proposed Official Plan Amendment remains consistent with the intent and direction of the Town of The Blue Mountains Official Plan and Exception 14 which applies to the Craigeith Ski Club and other Ski Clubs.

Zoning

The subject lands are not regulated by the Township of Collingwood Zoning By-law as zoning is not in effect. The lands fall within the Development Control regulations of the Niagara Escarpment Commission and a Development Permit is required for any site alteration or new building construction.

Were zoning in effect, the proposed Official Plan Amendment would appear to remain consistent with zoning requirements at other ski clubs where zoning is in effect.

Additional Comments

Comments were received from the Niagara Escarpment Commission, the Grey Sauble Conservation Authority and the County of Grey Planning and Development Department.

The Niagara Escarpment Commission has noted that the proposed amendment will bring the existing use into closer conformity with the objectives of the Escarpment Recreation Area of the NE Plan and therefore have no objections to the proposed amendment.

The Grey Sauble Conservation Authority has noted that an updated stormwater management plan and site plan be completed for the project to the satisfaction of the GSCA. They have also requested that a geotechnical investigation be completed on a portion of the lands due to the hazard potential related to the escarpment slopes.

The County has noted that Draft Plan Approval remains in effect for the proposed 22 cabins, and that should Town Council support this Official Plan Amendment, a redline revision to the current Draft Approved Condominium Plan will be required.

This Official Plan Amendment was also circulated through the Towns Development Review Committee. The Committee noted strong concerns over fire protection and fire apparatus access to the subject lands. Hydrant conditions and existing topography pose issues that must be addressed through detailed design. In addition, ownership of the proposed water distribution system will be further reviewed and resolved through the detailed design and review stage and redline revision process.

The Public Meeting was held on June 1, 2009. No members of the public made any written or verbal comments.

Based on the foregoing, it is the opinion of Planning Staff that the proposed Official Plan Amendment conforms to the intent and direction of The Blue Mountains Official Plan and represents good planning. Planning Staff therefore support the proposed Official Plan Amendment conditional upon the recommendations contained in this report.

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. Attached

1. Draft By-law to Adopt and Official Plan Amendment
2. Draft Official Plan Amendment

Respectfully submitted,

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THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS

BY-LAW NO. _____

**Being a By-law to adopt Amendment No. 17 to the
Official Plan of the Town of The Blue Mountains**

The Council of the Corporation of the Town of The Blue Mountains in accordance with the provisions of Sections 17 and 21 of the Planning Act, R.S.O.1990, hereby enacts as follows:

1. Amendment No. 17 to the Official Plan of The Town of The Blue Mountains is hereby adopted.
2. The Clerk is hereby authorized and directed to submit Amendment No. 17 together with the required record, to the appropriate Approval Authority for approval.
3. This By-law shall come into force and take effect on the day of the final passing by Council, subject to any approval necessary pursuant to the Planning Act R.S.O. 1990, as amended.

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

Enacted and passed this _____ day of _____, 2009.

Ellen Anderson, Mayor

Stephen Keast, Clerk

I hereby certify that the foregoing is a true copy of By-law No. _____ as enacted by the Council of the Corporation of the Town of The Blue Mountains on the _____ day of _____, 2009.

DATED at _____

this _____ day of _____, 2009.

Signed: _____
Stephen Keast, Clerk

NOTICE OF THE PASSING OF A BY-LAW TO ADOPT

AN AMENDMENT TO THE TOWN OF THE BLUE MOUNTAINS OFFICIAL PLAN

TAKE NOTICE THAT the Council of the Town of the Blue Mountains passed By-law No. _____ on the _____ day of _____, 2009 to adopt Official Plan Amendment No. 17 in accordance with the provisions of Section 17(22) of the Planning Act, R.S.O. 1990, c.P. 13.

AND TAKE NOTICE that any person or public body will be entitled to receive notice of the decision of the approval authority if a written request to be notified of the decision is made to the approval authority, being the County of Grey Planning and Development Department, 595 – 9th Avenue East, Owen Sound, Ontario, N4K 3E3.

THE COMPLETE OFFICIAL PLAN AMENDMENT is available for inspection during regular office hours in the Planning Department at the Municipal Office, 26 Bridge Street, Thornbury, Ontario or by contacting the Planning Department directly at (519) 599-3131 extension 263.

DATED at the Town of The Blue Mountains, this _____ day of _____, 2009.

Stephen Keast
Clerk
Town of The Blue Mountains
P.O. Box 310
26 Bridge Street
THORNBURY, Ontario
NOH 2P0 (519) 599-3131

PURPOSE AND EFFECT OF THIS BY-LAW

The purpose of this Official Plan Amendment is to satisfy a request by the Applicant to amend the Town of The Blue Mountains Official Plan that would reduce the number of units within the Escarpment E-14 designation from 22 to 15 units and to modify the maximum ground floor area and heights provisions noted in the Exception 14.

The effect of this Amendment is to modify Section 13.2 – Exception 14, clause 2(c) to provide for the following:

- i. the maximum number of units shall be fifteen (15).
- ii. The footprint or ground floor coverage of each dwelling unit may be redeveloped to a maximum foot print or ground floor coverage of 136.4 square metres.
- iv. The maximum height for each dwelling unit as identified in the approved Plan of Condominium shall be 7.5 metres for units 9 to 15 and 8.0 metres for units 1 to 8, from the existing lowest point of existing grade abutting the dwelling to the highest point of the roof as of October 2008 and shown on the Plan of Condominium. For the purposes of a unit that does not have an existing dwelling, the low point shall be the average of the adjacent units.

The proposal is subject to an existing Draft Plan of Condominium Approval (County of Grey File No. 42-CDM-2002-05) that will require a redline revision subject to the approval of this Amendment. The lands also contained within the Development Control Regulations of the Niagara Escarpment Commission and therefore, Zoning is not in effect on the subject lands.

The lands subject to this By-law are comprised of Part of Lot 21, Concessions 3 and 4 as shown on the attached map.

**AMENDMENT NO. 17
TO THE
OFFICIAL PLAN
OF THE
TOWN OF THE BLUE MOUNTAINS**

July 2009

**AMENDMENT NO. 17 TO THE
OFFICIAL PLAN OF THE
TOWN OF THE BLUE MOUNTAINS**

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**AMENDMENT NO. 17 TO THE
OFFICIAL PLAN OF THE
TOWN OF THE BLUE MOUNTAINS**

THE CONSTITUTIONAL STATEMENT

PART A - THE PREAMBLE does not constitute a part of this Amendment.

PART B - THE AMENDMENT consisting of the following text and maps constitutes Amendment No. 17 to the Official Plan for the Town of The Blue Mountains.

PART C - THE APPENDICES which does not constitute part of this Amendment. These Appendices contain background data, planning considerations and public involvement associated with this Amendment.

PART A - THE PREAMBLE

PURPOSE

The purpose of this Official Plan Amendment is to satisfy a request by the Applicant to amend the Town of The Blue Mountains Official Plan that would reduce the number of units within the Escarpment E-14 designation from 22 to 15 units and to modify the maximum ground floor area and heights provisions noted in the Exception 14.

LOCATION

The lands subject to this Amendment are located on the Craigleith Ski Club lands comprised of Part of Lot 21, Concessions 3 and 4 in the Town of The Blue Mountains (formerly the Township of Collingwood), County of Grey.

BASIS

Craigleith Ski Club wishes to amend the current approval (Official Plan and Draft Plan of Condominium) to convert the existing leasehold cabins located on the north western portion of their property from 22 approved units to 15 units. The primary purpose of reducing the number of cabins from the original approval is to optimize ski trail development in relation to ski lifts and slope. In addition, this revised proposal will minimize the construction (services, access and units) on the escarpment slope.

The proposed Official Plan amendment intends to reallocate the maximum footprint limits to the remaining cabins, as well as consider the height limitations established under the original approval.

In support of the applications, a Planning Justification Report was submitted by Travis and Associates Inc. dated February 2009.

PART B - THE AMENDMENT

All of this part of the document entitled "Part B - The Amendment" consisting of the following text constitutes Amendment No. 17 to the Official Plan of The Town of The Blue Mountains.

DETAILS OF THE AMENDMENT

The Official Plan is hereby amended as follows:

- Item 1** **Schedule "A" – Land Use Plan, Map 4 – Craigleith and Swiss Meadows** is hereby amended by re-designating a portion of the lands from the Escarpment E-14 designation to the Escarpment E designation for those lands lying and being in the Town of The Blue Mountains, comprised of Part of Lot 21, Concessions 3 and 4 in the Town of The Blue Mountains (formerly the Township of Collingwood), County of Grey as indicated on the attached Schedule A-17.
- Item 2:** Section 13.2 – Exception 14, clause 2(c) is hereby amended to provide for the following:
- i. The maximum number of units shall be fifteen (15).
 - ii. The footprint or ground floor coverage of each dwelling unit may be redeveloped to a maximum foot print or ground floor coverage of 136.4 square metres.
 - iii. The maximum height for each dwelling unit as identified in the approved Plan of Condominium shall be 7.5 metres for units 9 to 15 and 8.0 metres for units 1 to 8, from the existing lowest point of existing grade abutting the dwelling to the highest point of the roof as of October 2008 and shown on the Plan of Condominium. For the purposes of a unit that does not have an existing dwelling, the low point shall be the average of the adjacent units.

IMPLEMENTATION AND INTERPRETATION

The implementation and interpretation of this Amendment shall be in accordance with the respective policies of the Official Plan, as well as through a Plan of Condominium for the subject lands.

PART C - THE APPENDICES

The following Appendices do not constitute part of this Amendment. Such are included as information only supporting the Amendment.

1. Planning Justification Report
–Travis and Associates Inc. Dated: February 2009
2. Town of The Blue Mountains Planning Staff Report PL.09.79

Schedule A - xx
to the Town of The Blue Mountains
Official Plan
to be re-designated from E-14 to E



Area affected by this Amendment

