

**STAFF REPORT:**

**Planning & Building Services Department**



**REPORT TO:** Planning & Building Committee  
**DATE:** May 3, 2010  
**REPORT NO.:** PL.10.41  
**SUBJECT:** 173 and 177 Bruce Street South –  
Official Plan and Zoning By-law  
Amendments  
**PREPARED BY:** David Finbow, Director, Planning &  
Building Services

**A. Recommendations**

**THAT Council** receive Staff Report PL.10.41 respecting “173 and 177 Bruce Street South – Official Plan and Zoning by-law Amendments” and direct staff to proceed with a Town initiated Official Plan and Zoning By-law Amendments for the subject lands.

**B. Background**

A few years ago the Town acquired lands to the east of the L.E. Shore Memorial Library and subsequently developed these lands for parking lot purposes and, more recently, acquired 177 Bruce Street South for the future expansion of the Library. In light of these acquisitions and uses, it is appropriate that the Town consider updates to its Official Plan and Zoning By-law to reflect same.

**Official Plan**

The Town’s Official Plan designates the subject lands as “Residential RES” which permits single family detached and attached uses, as well as nursing homes, licenced day care centres, senior citizens housing a funeral parlour, home occupation uses and group homes.

Section 3.14 of the Official Plan, “Public and Utility Uses”, indicates that “Public and private institutional uses, including churches, nursing homes, clinics, cemeteries, community halls and fire/police halls shall generally be directed toward an Institutional designation.”

Although the use of the subject lands for library purposes is not directly contrary to the Official Plan, Planning Services are of the opinion that for clarity the Town should proceed with an application to amend the Official Plan so as to formally recognize the current and proposed institutional use(s) of the subject lands.

## Zoning By-law

Zoning By-law No. 10-77, as amended, indicates that the subject properties are located in an area zoned Residential R2 Zone. Permitted uses in the R2 Zone include "One one-familky detached dwelling on one lot".

Section 6.10 "Permitted Uses in All Zones" of the Zoning By-law permits "The use of any land for the...or the installation of other facilities essential to the operation of public utilities as defined by "The Public Utilities Corporations Act", provided that any such use...shall be in substantial compliance with the relevant provisions of this by-law and shall not adversely affect the character or amenity of the neighbourhood in which same is located."

With the Municipal Act 2001, "The Public Utilities Corporations Act" (now entitled the "Public Utilities Act").was substantially revised and/or superceded. The old Act defined a "public utility as:

"public utility" means any water works, gas works, electric heat, light or power works, telegraph and telephone lines, railways however operated, street railways and works for the transmission of gas, oil, water or electrical power or energy, or any similar works supplying the general public with necessaries or conveniences. R.S.O. 1990, c. P.53, s. 1.

In light of the above, Planning Services are of the opinion that for clarity the Town should proceed with an application to amend the Zoning By-law so as to formally recognize the current and proposed institutional use(s) of the subject lands..

### 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

Inter-functional Transfer - Official Plan Amendment and Zoning By-law Amendment  
Application Fees - \$3,275.00 (2009 Rate)

**E. Attached**

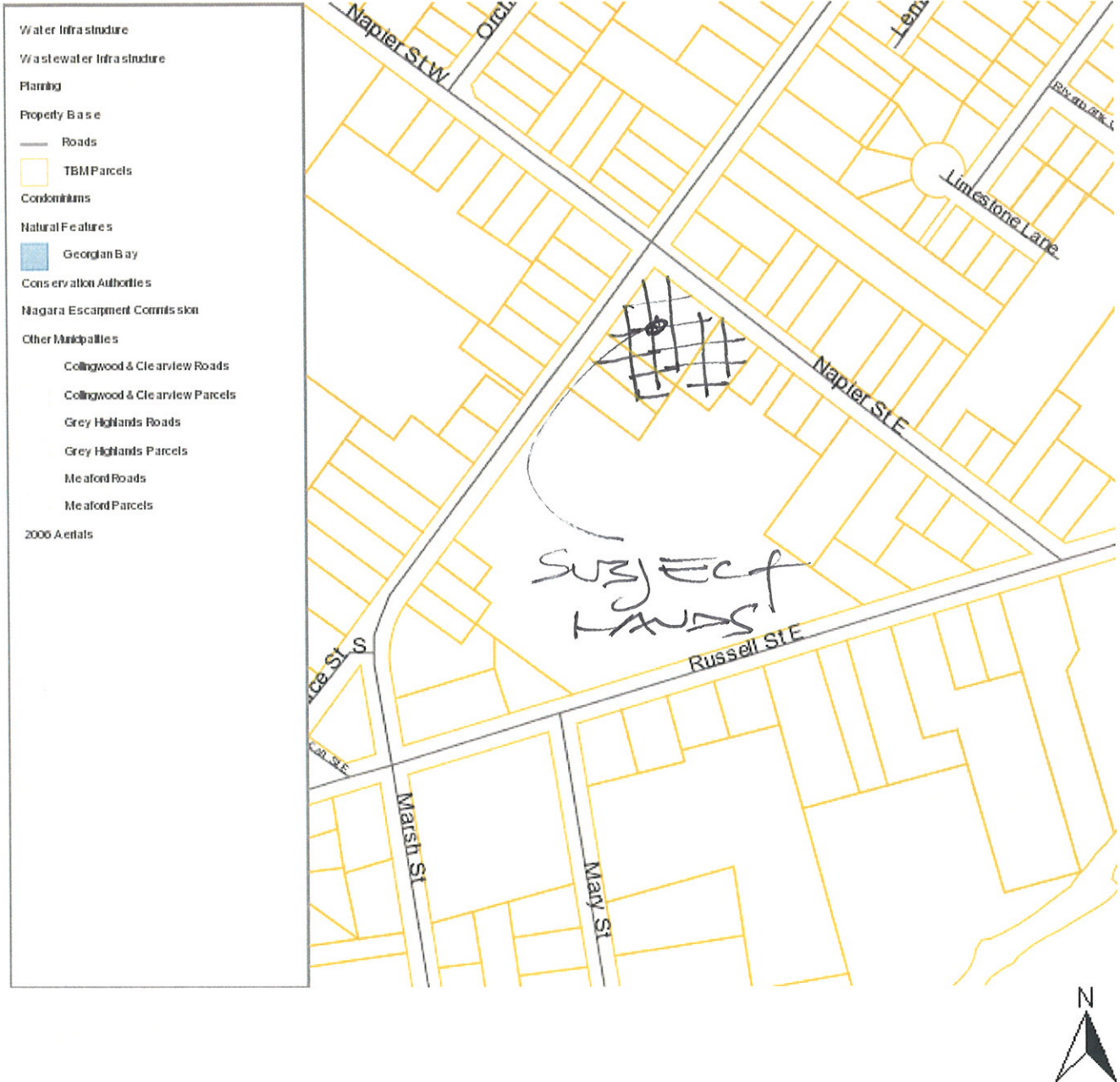
Key Map  
Map 2 - Official Plan  
Schedule "A" Zoning By-law No. 10-77, as amended

Respectfully submitted,

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# TheBlueMountains09



## The Blue Mountains

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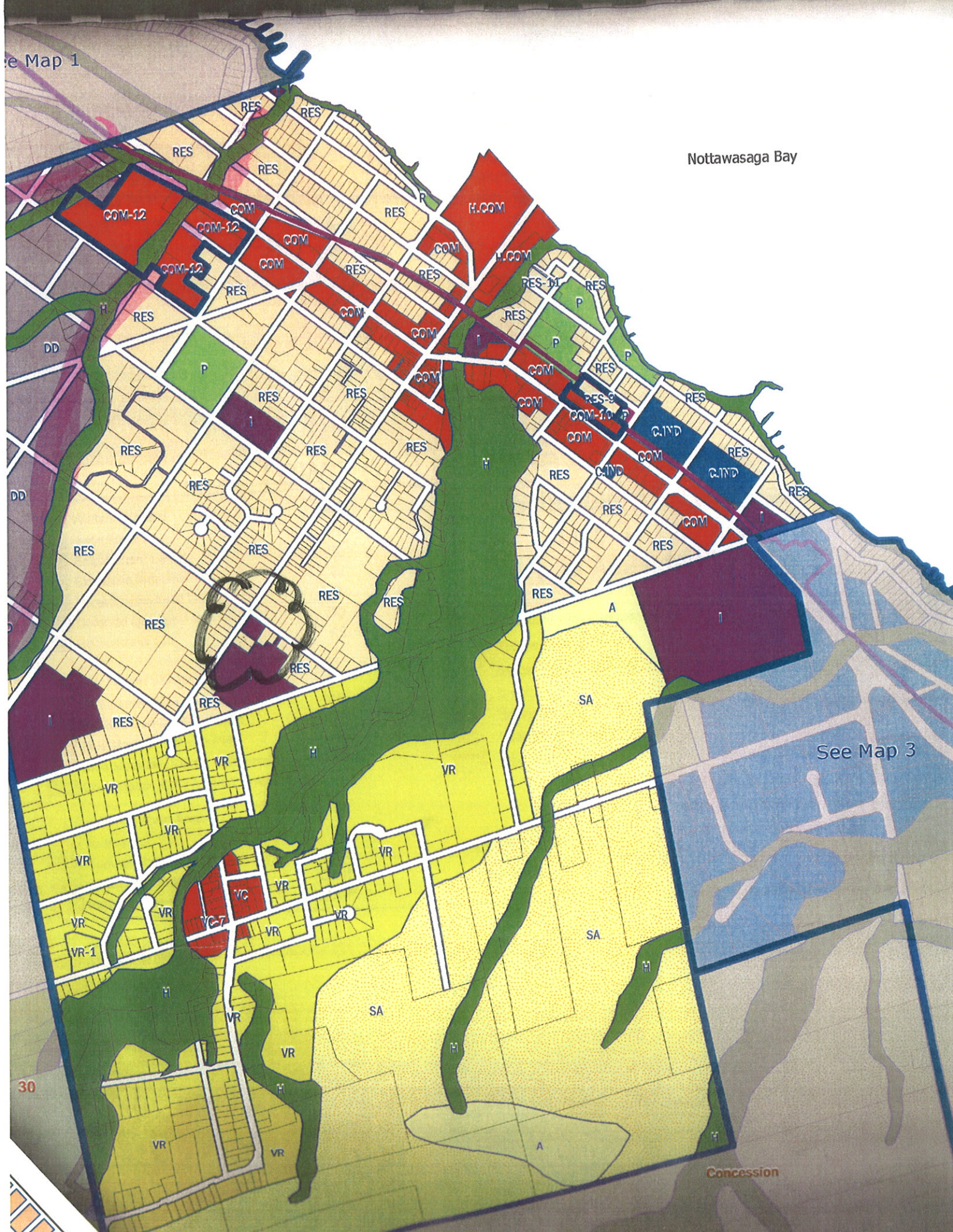
Map 1

Nottawasaga Bay

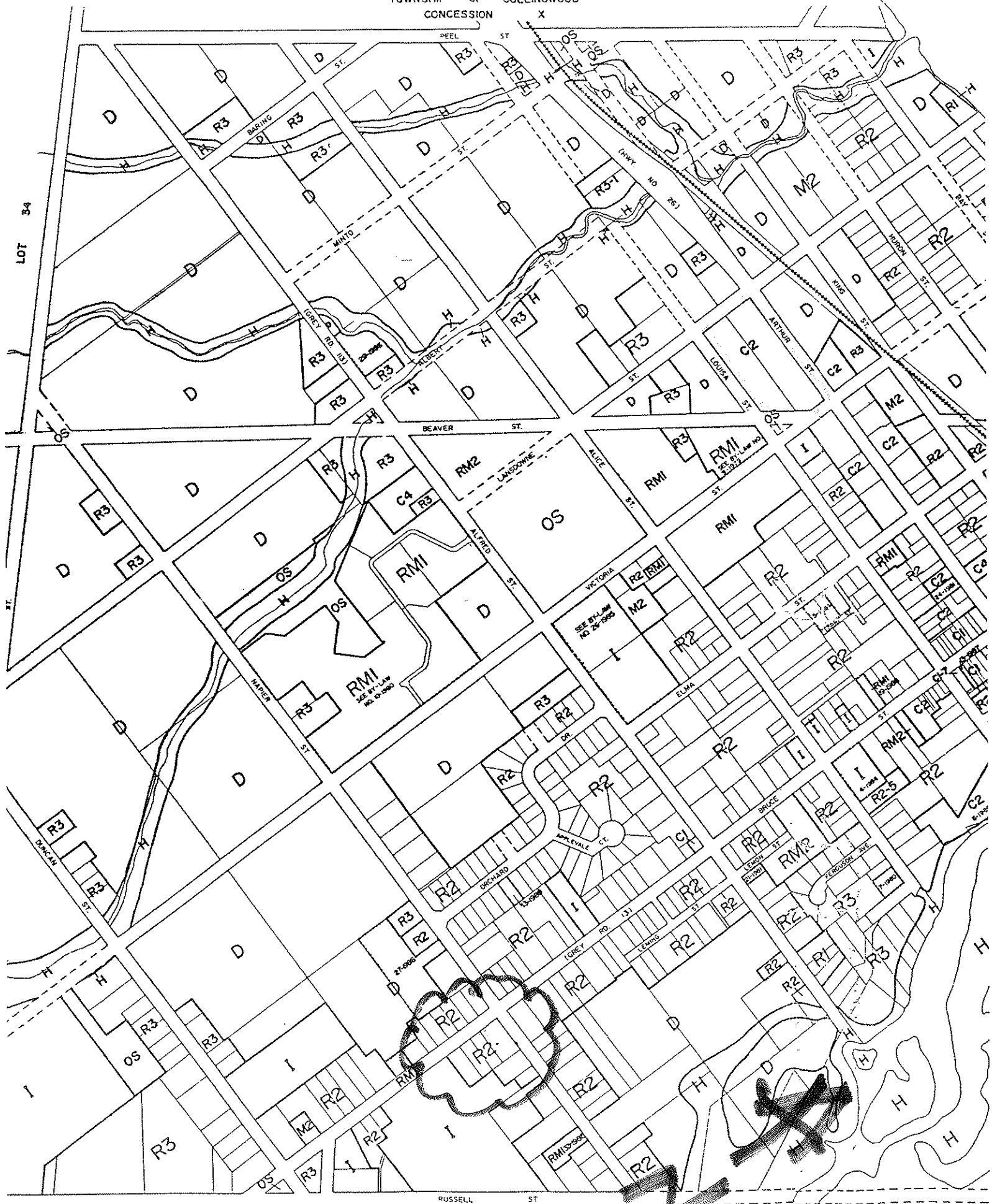
See Map 3

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Concession



TOWNSHIP OF COLLINGWOOD  
CONCESSION X



CONCESSION X  
CLARKSBURG