

STAFF REPORT: Planning & Building Services Department



REPORT TO: Planning & Building Committee
DATE: Monday, June 7, 2010
REPORT NO.: PL.10.48
SUBJECT: Request for Comments
Niagara Escarpment Commission
File No. G/R/2010-2011/9010
Andrea Matrosovs and Chris Wright
Part Lot 5, Concession 12;
Part 1, RP 16R-5101;
355293 The Blue Mountains-Euphrasia
Townline;
Town of The Blue Mountains

PREPARED BY: Bryan Pearce,
Planner I

A. Recommendations

THAT Council advise the Niagara Escarpment Commission that the Town has no objection to the Development Permit Application File No. G/R/2010-2011/9010; legally described as Part Lot 5, Concession 12; Part 1, RP 16R-5101; Town of The Blue Mountains; subject to the following condition:

- 1. That Building Permit(s) must be obtained from the Town of The Blue Mountains Building Division for the development proposal prior to the onset of construction.**

B. Background

The purpose of this Report is to consider and to develop comments related to a Development Permit Application filed with the Niagara Escarpment Commission (NEC) with respect to a proposal to:

- construct a 1.5 storey, with loft, 110 square metre (1183 square foot) accessory building (garage with workshop/storage space), having a maximum height of 7.3 metres (24 feet) measured from the lowest grade to the peak, on an existing concrete foundation;
- construct a 232.5 square metre (2500 square foot), 3 metre (10 foot) deep pond;

The pond is proposed for recreation/decorative purposes as well as for the installation of a closed loop geothermal system.

The subject property is located on Part Lot 5, Concession 12; Part 1 on Reference Plan 16R-5101; part way between the 3rd Sideroad and 6th Sideroad, fronting onto The Blue Mountains-Euphrasia Townline, in the Town of The Blue Mountains, on a 0.8 hectare (2.06 acre) existing lot.

The Owner/Applicant is Andrew Matrosovs and Chris Wright. The subject property had a Development Permit Application filed in the permit year of 2000-2001 and 2003-2004 with the Niagara Escarpment Commission.

The existing dwelling was constructed in 2004 as well as the concrete foundation for this garage proposal, under the 2003-2004 NEC Development Permit. The NEC Development Permit is now lapsed and this is a re-application to construct the accessory building.

Official Plan

The subject lands are designated as Rural (R) in the Town of The Blue Mountains Official Plan. The 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. Agricultural operations and related buildings and structures and farm related residential dwellings are a permitted use; and accessory structures, such as the proposed detached garage with workshop/storage space, are a common incidental use to the main dwelling.

Therefore, Planning Staff note that the development proposal would appear to conform with the Official Plan.

Zoning

If zoning were in place, the Rural Estate Residential (RERa) Zone would apply to the subject lands due to the limited lot area. The Rural Estate Residential (RERa) Zone would permit this type of use on the subject lands.

There may be some compliance issues with regards to this development proposal, if zoning were in place. This relates to the proposed location of the detached garage appears to be located closer to the street than the existing main dwelling, contrary to the general provisions for accessory uses under Section 5.2(iii). Given the proposed accessory building has a proposed setback of approximately 40 metres from the public road limiting the visual impacts, Planning Staff has no concern.

Additional Comments

Planning Staff note that the Building Permit 2004-137 for the construction of the dwelling and accessory building is now dormant, as communicated to the owner in a February 9, 2010 email. The Town's Building Division requires that building permit(s) be obtained for the proposed development. Planning Staff recommends this as a condition to this application prior to the onset of construction.

Based on the foregoing, Planning Staff would have no objections to this application for a Development Permit, conditional upon obtaining building permit(s) with the Town.

C. The Blue Mountains' Strategic Plan

The recommendation in this Planning Staff Report PL.10.48 is consistent and supports the following Strategic Plans Goals:

"1. Managing growth to ensure the ongoing health and prosperity of the community"

D. Environmental Impacts

The proposed development does not appear to generate any significant environmental impacts that can be regulated by the Town.

E. Budget Impact

NIL

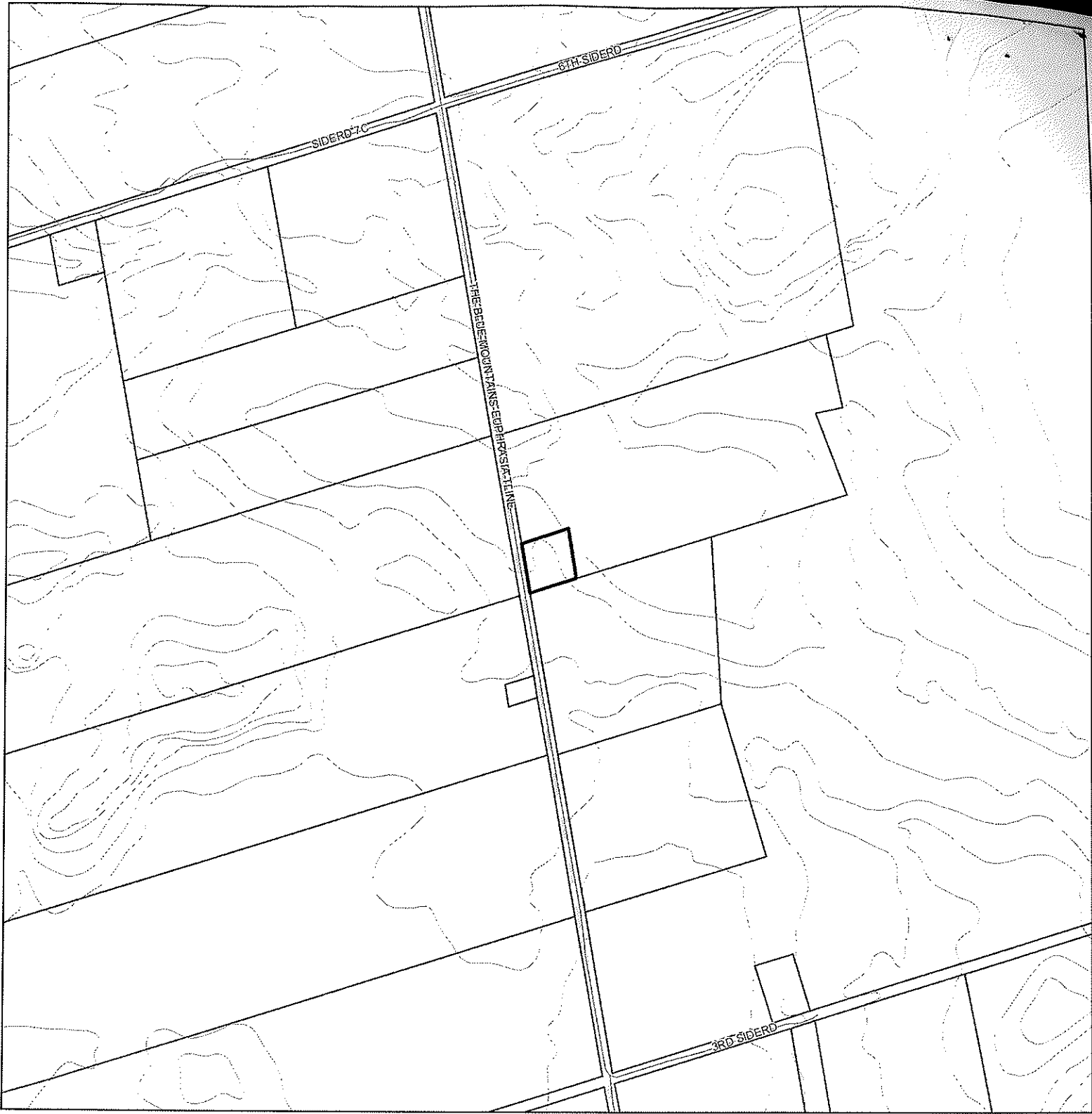
F. Attached

1. Lot Configuration
2. Site Plan

Respectfully submitted,

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MAP 2
LOT CONFIGURATION

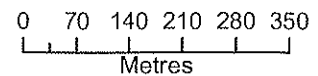
FILE NO: G/R/2010-2011/9010

APPLICANT: ANDREA MATROSOVS

LEGEND

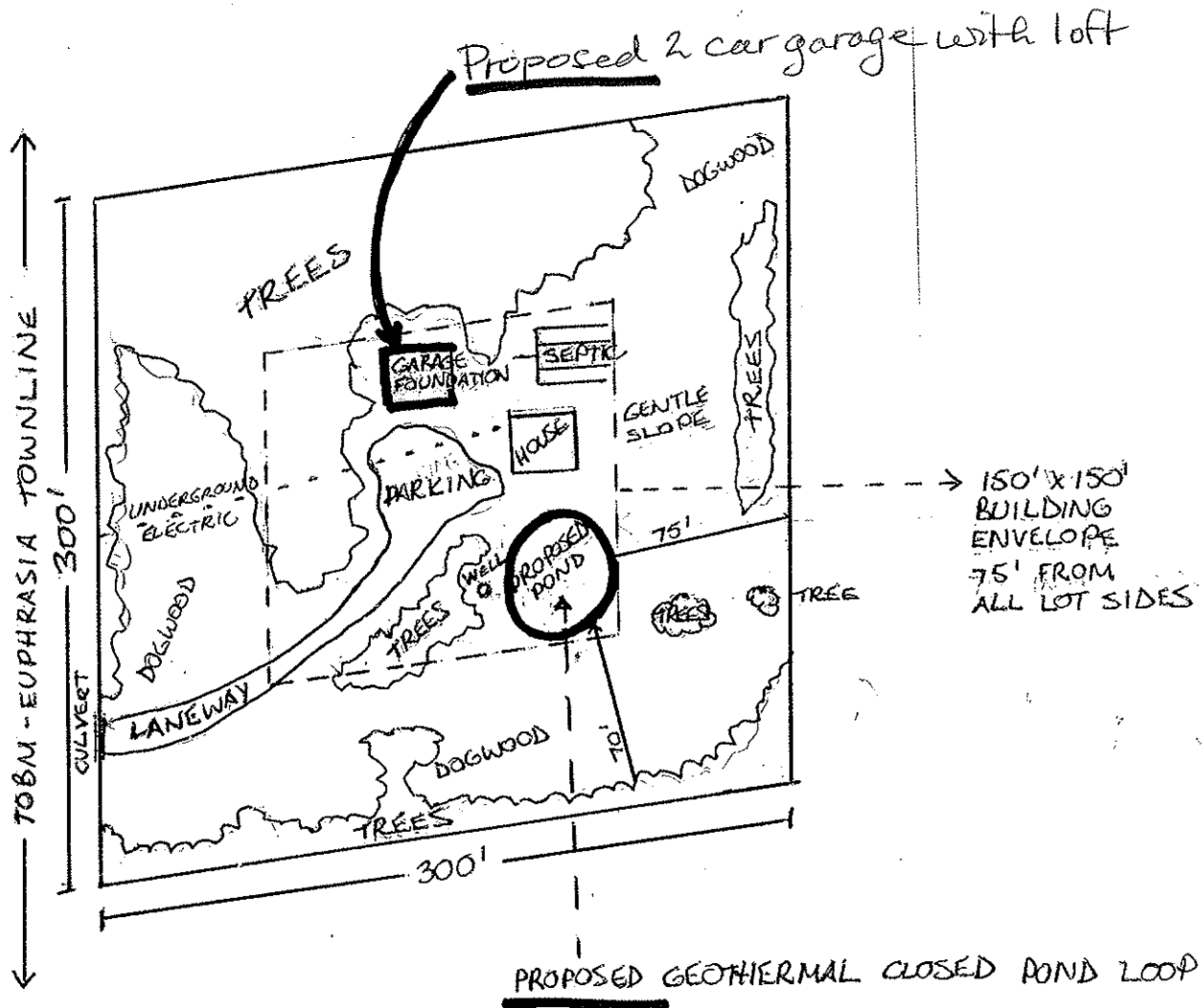
 Subject Property

Approximate Scale 1:10000



NEW SITE PLAN-2010
MATROSOVS

TOTAL LOT AREA = 2.06 ACRES



SCALE:
1/4" = 20'

Map 3A

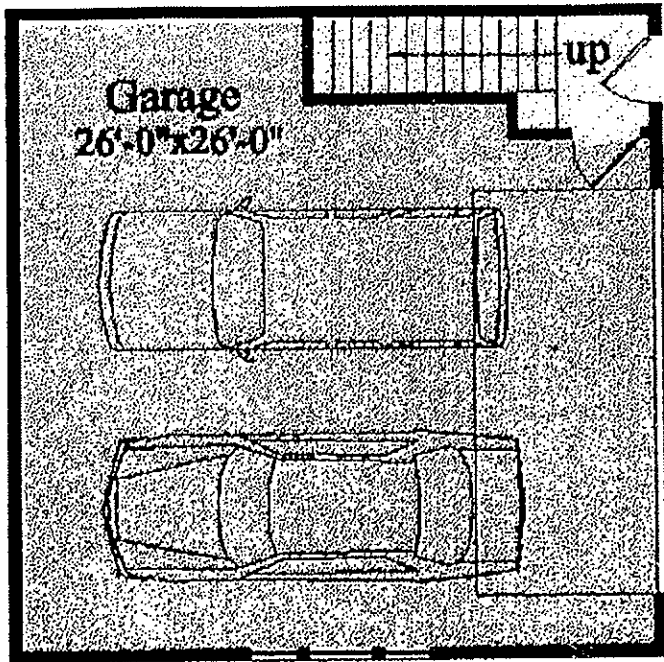
Site Plan

Name... Andrea Matrosovs

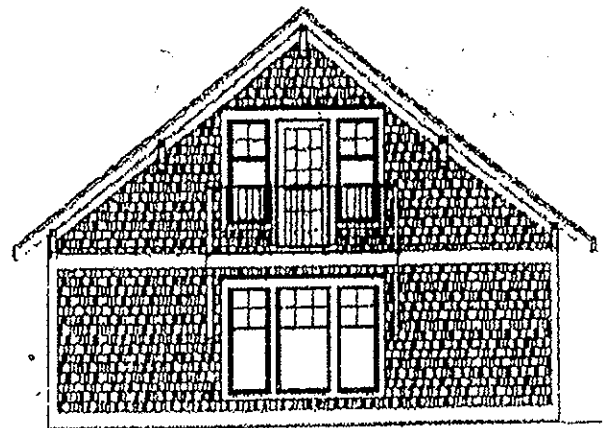
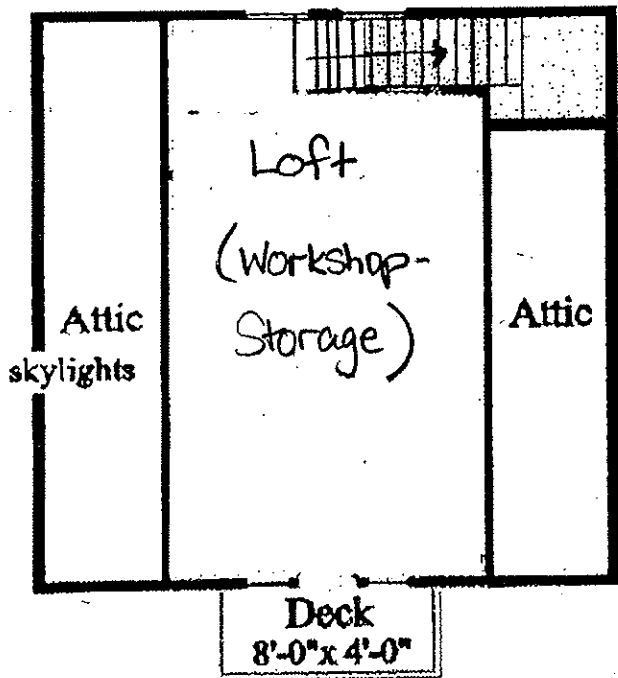
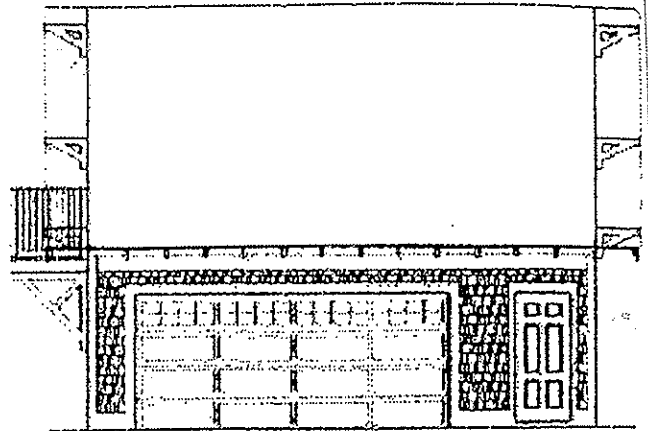
File Number... G/R/2010-2011/9010



Not to Scale



STUDIO GARAGE



Map 3B

Site Plan

Name Andrea Matrosovs

File Number G/R/2010-2011/9010



Not to Scale