

STAFF REPORT:

Planning & Building Services Department



REPORT TO: Planning & Building Committee

DATE: July 5, 2010

REPORT NO.: PL.10.67

SUBJECT: Application for:
Official Plan Amendment and
Consent
John Brown,
Part Lot 19, Concession 4
689359 18th Sideroad;
Town of The Blue Mountains

PREPARED BY: Shawn Postma, Planner II

A. Recommendations

THAT the Planning & Building Committee receive Staff Report PL.10.67 “Application for Official Plan Amendment and Consent, John Brown, Part Lot 19, Concession 4, 689359 18th Sideroad, Town of The Blue Mountains”; and

THAT Council adopt Official Plan Amendment No. 21 in order to establish a new minimum lot frontage requirement of 54 metres for those lands identified as Part Lot 19, Concession 4, 689359 18th Sideroad; and

THAT Council grant Application for Consent File Number B07-2010 subject to the following conditions:

- 1. An Official Plan Amendment to permit a site specific exception to the Rural Policies that would establish a new minimum lot frontage requirement of 54 metres.**
- 2. That the severed parcel be deeded as a lot addition to the property to the east in accordance with Section 50 (3) of the Planning Act, R.S.O. 1990.**
- 3. That any existing mortgage commitment on the severed parcel to be added to be extended to cover the whole, newly created parcel.**

B. Background

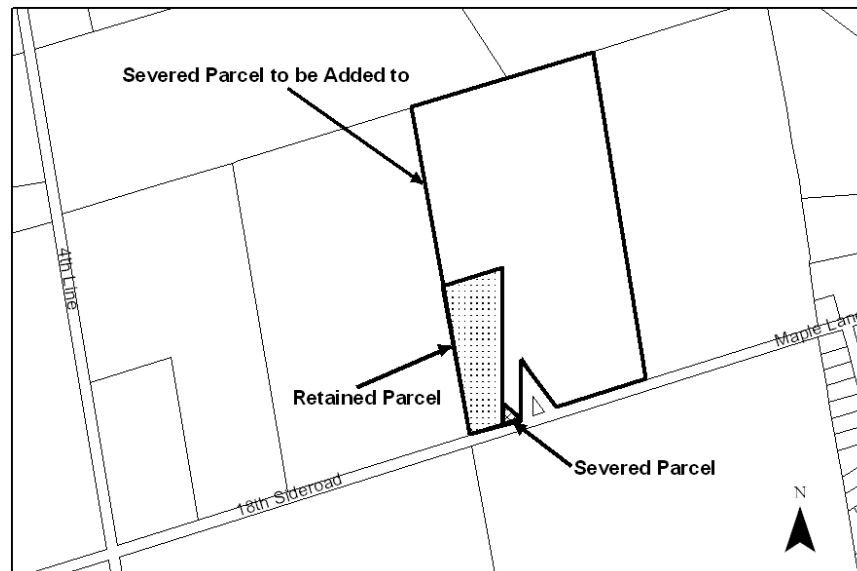
The purpose of this report is to consider an application for consent and an application for Official Plan Amendment (OPA) these applications are part of a request by the owner to sever a 0.976 hectare parcel from an existing 2.19 hectare parcel and deed it as a lot addition to the adjacent 20 hectare rural agricultural parcel to the east. An Official Plan Amendment is required as the Rural land use policies in the Official Plan limit the minimum lot frontage requirement to 100 metres. (Section 4.2(2)(d))

The owner has an active history on these lands with a number of previous applications considered in 2002, 2005 and 2008. In 2002 the original 40 hectare (100 acre) parcel was severed into two equal 20 hectare parcels. In 2005, the owner made application to sever an irregular shaped parcel from the 20ha lands to the east; and deed it as an addition to the 20ha parcel to the west. The intent of the lot addition was to realign the

property boundaries along an existing tree line, rather than splitting the lands equally in area. The consent was granted, however, lapsed in October 2007 as none of the conditions of consent were completed. In 2008 a new application to create a new 2.2 hectare rural residential lot was granted, the conditions were satisfied, and is now a lot of record. The 2.2 hectare lot was granted conditional upon a number of items, one being that the lot frontage be increased from 54 metres to 100 metres in order to satisfy the minimum lot frontage requirements under the Rural policies of the Official Plan.

The current application seeks to amend the Official Plan in order to permit a minimum lot frontage of 54 metres, and to provide a lot addition from the 2.2 ha parcel back to the 20 hectare parcel. The intent is to remove the requirement to relocate the existing driveway that serves the 20 ha lot. Should these applications be granted, the existing driveway can remain with the existing dwelling, and the vacant rural residential lot can obtain a new entrance from the 18th sideroad.

Location



Provincial Policy Statement

The Provincial Policy Statement (PPS) provides direction on appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. There does not appear to be any concerns of Provincial interest.

County of Grey Official Plan

The County of Grey Official Plan designates the lands as 'Escarpment Recreation Area'. Land use policies and development standards shall be in accordance with local Official Plans. Provided that these applications are permitted under the local Official Plan, there does not appear to be any concerns of County interest.

Town of The Blue Mountains Official Plan

The Town of The Blue Mountains Official Plan designates the subject lands as Rural (R) and Hazard (H). 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. Other uses of land which are non-supportive activities of agriculture may be permitted on a limited scale provided that the use does not conflict with surrounding farm operations, will not alter the rural character of the area and the use will not adversely impact costs of providing municipal services.

Consent policies under the Rural designation permit a limited number of new lots provided that the location of the new dwellings do not detract from the visual quality of the rural landscape and the density of development shall be low with new lots generally being 10 hectares in size with a minimum lot frontage of 150 metres. However, no lot shall be less than 0.8 hectares in area with 100 metres of frontage, and in no case shall more than 3 lots be created per original ½ Township lot (40 hectares).

The above policy places a strict limitation of 100 metres of lot frontage in the Rural area. the intent is to support the low density of rural residential uses by keeping them separated as much as possible in order to assist in keeping the open landscape character of the rural area.

Although the Town does not encourage Official Plan Amendments of this nature, it would appear that the existing lot could better benefit from this lot addition from what is in place today. In this instance, it would appear that the lot addition and reduced lot frontage would not detract from the open landscape character as the location of the dwellings will not change. The number of entrances to the lots will not change. The re-location of the entrances will result in maintaining a number of mature trees that would otherwise have to come out to accommodate the new entrance originally proposed in 2008. Based on this, a site specific Official Plan Amendment to reduce the minimum lot frontage requirement from 100 metres to 54 metres would appear appropriate for the subject lands.

Additional Comments

The statutory Public Meeting as required under the Planning Act was held on June 7, 2010. Comments were received from the County of Grey Planning and Development Department, the Grey Bruce Health Unit, and the Historic Saugeen Metis, Each agency has noted that they have no objections to the proposed Official Plan Amendment and Lot Addition. No members of the public were present at the Public Meeting.

Based on the foregoing, it is the opinion of Planning Staff that the proposed Official Plan Amendment and Consent for Lot Addition conforms to the intent and direction of the Town of The Blue Mountains Official Plan, the County of Grey Official Plan, is consistent

with the Provincial Policy Statement and represents good planning. Therefore Planning Staff support these applications subject to the conditions as noted 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. Official Plan Amendment No. 21

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. 21 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. 21 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. 21 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 _____, 2010.

Ellen Anderson, Mayor

Corrina Giles, 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 _____, 2010.

DATED at _____

this _____ day of _____, 2010.

Signed: _____
Corrina Giles, 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 _____, 2010 to adopt Official Plan Amendment No. 21 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 _____, 2010.

Corrina Giles, 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 and effect of this Official Plan Amendment is provide a site specific exception to Section 4.2(2)(d) to the Official Plan to permit a new minimum lot frontage of 54 metres for the subject lands. Section 4.2(2)(d) to the Official Plan requires a minimum lot frontage 100 metres.

The lands subject to this By-law are comprised of Part Lot 19, Concession 4

**AMENDMENT NO. 21
TO THE
OFFICIAL PLAN
OF THE
TOWN OF THE BLUE MOUNTAINS**

July 2010

**AMENDMENT NO. 21 TO THE
OFFICIAL PLAN OF THE
TOWN OF THE BLUE MOUNTAINS**

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**AMENDMENT NO. 21 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. 21 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 in order to establish a new minimum lot frontage requirement of 54 metres for the subject property. It is noted that Section 4.2(2)(d) of the Official Plan requires a minimum lot frontage of 100 metres.

LOCATION

The lands subject to this Amendment are located at Part Lot 19, Concession 4, are locally described as 689359 18th Sideroad in the Town of The Blue Mountains (formerly the Township of Collingwood), County of Grey.

BASIS

The applications today seek to amend the Official Plan in order to permit a minimum lot frontage of 54 metres, and to provide a lot addition from the 2.2 ha parcel back to the 20 hectare parcel. The intent is to remove the requirement to relocate the existing driveway that serves the 20 ha lot. Should these applications be granted, the existing driveway can remain with the existing dwelling, and the vacant rural residential lot can obtain a new entrance from the 18th sideroad.

PART B - THE AMENDMENT

All of this part of the document entitled "Part B - The Amendment" consisting of the following text constitutes Amendment No. 21 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 establishing a new minimum lot frontage requirement of 54 metres for those lands lying and being in the Town of The Blue Mountains, comprised of Part Lot 19, Concessions 4 in the Town of The Blue Mountains (formerly the Township of Collingwood), County of Grey as indicated on the attached Schedule A-21.

IMPLEMENTATION AND INTERPRETATION

The implementation and interpretation of this Amendment shall be in accordance with the respective policies of the Official Plan.

PART C - THE APPENDICES

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

1. Town of The Blue Mountains Planning Staff Report PL.10.65

**Schedule A-21
of Official Plan Amendment No. 21
to the Town of The Blue Mountains Official Plan**

 AREA AFFECTED BY THIS AMENDMENT

