

STAFF REPORT:

Planning & Building Services Department



REPORT TO: Planning & Building Committee

DATE: January 17, 2011

REPORT NO.: PL.11.03

SUBJECT: Removal of Part Lot Control
Woodlands by Sierra
Part Block 10, Plan 1124
Town of The Blue Mountains
County of Grey File No:
42-CDM-2006-03

PREPARED BY: Shawn Postma, Planner II

A. Recommendations

THAT the Planning & Building Committee receive Staff Report PL.11.03 “Removal of Part Lot Control, Woodlands by Sierra, Part Block 10, Plan 1124, Town of The Blue Mountains”; and

THAT Council grant a Part Lot Control By-law to remove Part Lot Control to facilitate registrations within Phase 3 of the Common Elements Plan of Condominium.

B. Background

The purpose of this report is to consider an application for a Part Lot Control By-law. Prior to the creation of the Common Elements Condominium for the subject lands, the Town must pass a By-law to remove lands from Part Lot Control to enable the registration of the Pieces of Tied Land (POTL's) the POTL's will then become part owners of the Common Elements Condominium which consists of their access, parking, landscaping, services and other recreational amenities.

This was contemplated under the Site Plan Approval for the lands and the Draft Plan of Condominium approval granted by the County of Grey (File No. 42-CDM-2006-03).

The current Part Lot Control By-law (By-law 2008-35) has now expired, with a new By-law required for the outstanding registrations in Phase 3.

This application has been reviewed through the Development Review Committee process, where a number of deficiencies have been identified related to Trail and Landscaping works within the Phase 3 development. It should be noted that an existing Site Plan Agreement is in place which includes the holding of securities for the above mentioned trail and landscaping works. It is our opinion that the provisions in the Site Plan Agreement are appropriate to ensure the completion of these works, and that these deficiencies should not impact the passing of the proposed Part Lot Control By-law.

The Removal of Part Lot Control process was previously endorsed through Phase 1 and Phase 2 approvals and contemplated under the Draft Plan of Condominium approval for Phase 3, Planning Staff recommends that Council pass the attached By-law.

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: Removal of Part Lot Control

Respectfully submitted,

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Draft By-law:

Corporation of The Town of The Blue Mountains

By-law 2011-_____

**Being a By-law to remove lands bounded by
Blueski George Crescent from Part Lot Control**

WHEREAS pursuant to subsection 50(7) of the Planning Act, RSO 1990, c.P.13 as amended, a municipality may enact a By-law to remove lands from part-lot control;

AND WHEREAS the nature of the part-lot control exemption meets the criteria of the Corporation of the Town of The Blue Mountains in that the exemption from part-lot control will facilitate the development of Phase 3 of the Woodlands by Sierra project;

NOW THEREFORE the Council of the Corporation of the Town of The Blue Mountains hereby enacts as follows:

1. Subsection 50(5) of the Planning Act, R.S.O. 1990, c.P.13, as amended, does not apply to the following parcels of land;

Part Block 10, Registered Plan 1124;

Save and except:

Parts 1 through 58, inclusive, Plan 16R-8598.

2. Pursuant to subsection 50(7.3) of the Planning Act, R.S.O. 1990, c.P.13, as amended, this By-law shall expire TWO (2) years from the date of its registration unless it shall have prior to that date been repealed or extended by the Council of the Corporation of the Town of The Blue Mountains.
3. This By-law shall not become effective until a certified copy or duplicate of the By-law has been registered in the Property Land Registry Office.

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

Enacted and passed this _____ day of _____, 2011.

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 _____, 2011.

DATED at _____

this _____ day of _____, 2011.

Signed: _____
Corrina Giles, Clerk