

STAFF REPORT: Planning



REPORT TO: Mayor & Members of Council
MEETING DATE: October 01, 2007
REPORT NO.: PL.07.118 Revised
SUBJECT: Consent applications B15 and 16/2007 and Zoning By-law Amendment - Part Lot 26, Concession 5, Judith Smith
PREPARED BY: Robert Armstrong, Manager of Development Planning and IS

A. Recommendations

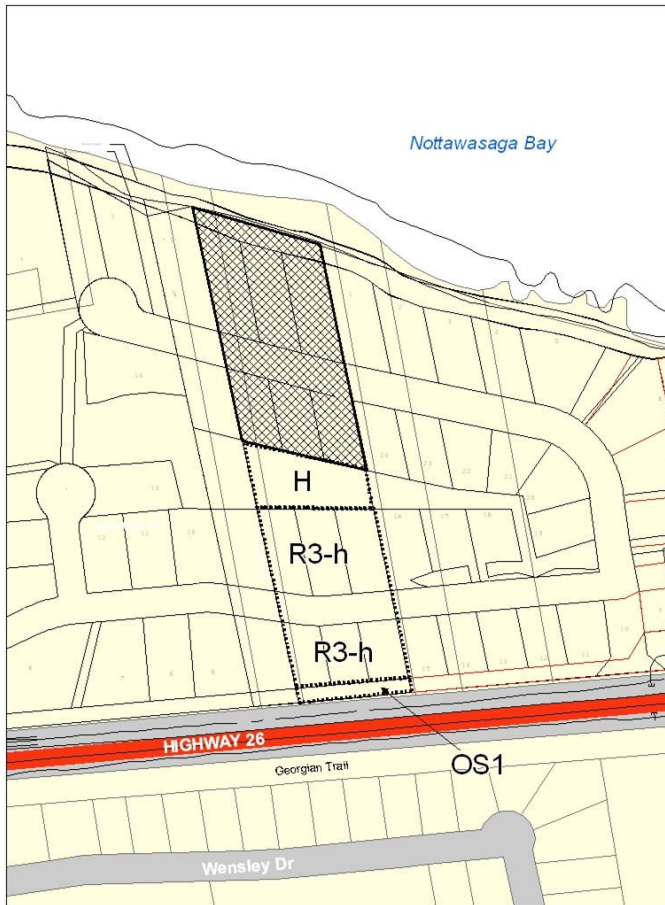
THAT Planning Staff support Applications for Consent File Nos. B15 and 16/2007, Part Lot 26, Concession 5, Judith Smith subject to the following conditions:

- 1. Execution of a Development Agreement that includes, amongst other matters, Drainage, Grading and Tree Preservation Plans for the six lots, relationship to the works being constructed by Peaks Bay and their related Subdivision Agreement and interim access provisions and conditions of the Ministry of Transportation and the execution of the Memorandum of Understanding.**
- 2. A Zoning By-law Amendment to:**
 - a. Rezone the six new lots to the Residential R3-h zone, the Wetland to the Hazard H zone and the buffer along the Highway to the Public Open Space OS1 Zone.**
 - b. Recognize the new lot area and frontage for the parcel containing the existing house.**
 - c. Apply the holding –h symbol to the 6 new lots.**
- 3. The Payment of applicable Development Charges for the 6 new lots in accordance with the Development Charges By-law.**
- 4. The Payment of cash-in-lieu of Parkland for the 6 new lots in accordance with the Planning Act.**
- 5. Dedication to the Town of the 10 metre buffer along Highway 26 and the Wetland identified in the EIS by Gartner Lee immediately north of the 6 new lots and consistent with the proposed dedications by Peaks Bay.**
- 6. Approval of the Drainage and Gradign Plan and the Tree Preservation Plan by the Grey Sauble Conservation and the Niagara Escarpment Commission.**

AND THAT Planning Staff support the passing of a Zoning By-law to rezone a portion of Part Lot 26, Concession 5, Applicant - Judith Smith from the Development D Zone to the Residential R3-h, the Hazard H and the Public Open

Space OS1 Zones as well as provide exceptions to the lot frontage and area requirements for the future lot containing the existing dwelling.

B. Background



The proponent has applied to create a total of six new residential lots each having 25 metres of frontage and ranging in area from 1,042 square metres to 1,422 square metres. The new lots will front on a new public street constructed by the adjacent developer, Peaks Bay. In addition, the existing residence will be severed from the remainder of the lands through the dedication of the wetlands for the Town. This parcel would front upon the end of the northerly public street also being developed by Peaks Bay. A 10 metre buffer strip along Highway 26 is also being dedicated to the municipality to be consistent with the adjacent developments.

OFFICIAL PLAN

and Hazard H within the Town's Official Plan. The following are some applicable policies contained within exception 19:

The subject lands are designated Recreational Residential RR-19. The following are some applicable policies contained within exception 19:

“Notwithstanding anything in the Official Plan to the contrary, the following policies apply:

1. Permitted Uses
 - (i) *A maximum of 672 residential units; (Included 12 lots for Smith lands)*
2. Policies

- (i) *All residential development shall be subject to the density limitations under Schedule "B" - Unit Yields, which includes applicable bonus densities.*
- (viii) *Buffer strips within a minimum width of 10 metres adjacent to the road allowance shall be required along Highway 26, County Road 40, 7th Line and Old Lakeshore Road. The buffer strips shall be subject to an approved landscape plan to ensure adequate visual screening. No buildings, structures or lots shall be permitted within the buffer strips.*
- (x) *In addition to roads, open space public walkway linkages and any other required conveyances (including land for a water storage facility), the Niagara Escarpment, Nipissing Ridge, Hazard Lands and Pedestrian Access in the vicinity of the residential development designations, and the area identified as Proposed Park along the Georgian Bay shoreline, shall be dedicated to the Town as a condition of development approval. Pedestrian Access routes shown on Schedule "A" - Map 3 are conceptual only, with the detailed location to be established under subdivision approval. The Town shall prepare a Master Plan for the Proposed Park, including impact studies to determine appropriate uses and to ensure protection of natural features.*
- (xi) *All development shall be subject to cash-in-lieu of parkland dedication, except that the dedication of the Proposed Park shall also satisfy the parkland dedication requirements of B20a. In recognition of the public benefit, the required dedications and facilities shall satisfy all applicable open space and bonus density requirements for these lands, and servicing priority shall be given to these lands over other potential development lands within the Camperdown area."*

The proposed six lots, the dedication of the Wetland and the 10 metre buffer strip complies with the policies of the Official Plan. It is also noted that the development of these lands in the manner proposed was considered as part of the finalization of the Official Plan before the Ontario Municipal Board.

ZONING

The subject lands are currently zoned Development D and Private Open Space OS2 within the Township of Collingwood Zoning By-law. A By-law Amendment has been applied for to rezone the 6 lots to the Residential R3 zone. This zone is the same zoning that has been applied to the adjacent development by Peaks Bay. The buffer strip will be zoned Public Open Space OS1 and the wetland as Hazard H. The existing dwelling will remain being zoned Development D. Exceptions are requirements to recognize the new lot frontage and area requirements for the parcel containing the dwelling in that the D zone only permits uses and lots existing on the effective date of passing of this By-law.

The Holding –h symbol will also be placed on the residential lots with the condition of removal being the execution of a Development Agreement.

COMMENTS

The proponent is required to enter into a Memorandum of Understanding between the Town and Peaks Bay and must be a condition of the Consents. This Memorandum of Understanding commits a reservation of servicing capacity for the six new lots on the basis of the public benefit that is being achieved through the cooperation of the joint access. This Memorandum also contains various provisions that will need to be incorporated into a Development Agreement with the Town. In particular, the relationship with those works being provided by Peaks Bay that will benefit the proponent's lot and these applications. Other matters that will need to be addressed within the Development Agreement includes:

- (i) Drainage, grading and tree preservation plans for the proposed 6 lots consistent with those prepared by Peaks Bay;
- (ii) Interim access provisions consistent with the Minutes of Settlement and the requirements of the Ministry of Transportation.
- (iii) Relationship of the subject lands to the provisions contained in the Subdivision Agreement with Peaks Bay.

Based on the foregoing, it is the opinion of Planning Staff that the proposed consent conforms to the intent and direction of the Town of The Blue Mountains Official Plan. Therefore Planning Staff support this application for consent subject to the conditions noted in this report.

C. Strategic Plan

Strategic Plan Goal #1:

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

D. Budget Impact

Nil

E. Attachment

1. Zoning Schedule

Respectfully submitted,

Robert Armstrong, MCIP, RPP, CPT
Manager of Development Planning & Information Systems