

STAFF REPORT: Town of The Blue Mountains Planning Department



REPORT TO: Mayor and Members of Council

MEETING DATE: November 05, 2007

REPORT NO.: PL.07.128

SUBJECT: Application for
Zoning By-law Amendment to
remove Holding '-h' Symbol
Harbourvista Inc.
Lots 98, 99, 100, Plan 1023
Town of The Blue Mountains

PREPARED BY: Shawn Postma,
Planner II
Robert Armstrong,
Manager of Development Planning & IS

A. Recommendations

THAT Council does receive Planning Staff Report PL.07.128, "Application for Zoning By-law Amendment to remove Holding '-h' Symbol, Harbourvista Inc., Lots 98, 99, 100, Plan 1023, Town of The Blue Mountains";

AND THAT Planning Staff supports a Zoning By-law Amendment to remove the Holding '-h' symbol from the RM1-h lands as established through By-law No. 2001-07.

B. Background

The purpose of this Zoning By-law Amendment application is to consider a request by the applicant to remove the Holding '-h' symbol and permit the establishment of a 13 unit townhouse development on the lands. The 13 units will be located in four separate buildings all gaining access from Bay Street opposite the entrance to the Riverwalk Apartments. The property is located on the south-west corner of Bay and Mill Streets, is currently vacant and is surrounded by the Thornbury Harbour and Bayview Park to the west and east, with existing residential uses to the north and south. A footbridge over the Beaver River is located off the north-west corner of the lands which provides pedestrian access to the Thornbury Harbour.

The subject lands were formerly known as Riverwalk Phase II which was later sold to Harbourvista Inc.

Official Plan

The Town of The Blue Mountains Official Plan designates the lands as 'Residential' in the Thornbury Community Area. The predominant use of land within this designation shall be for a wide range of residential uses at a density of 25-40 units per hectare for townhouse dwellings. The proposed density provides for 32 units per hectare.

Zoning By-law

Zoning By-law 2001-07 zones the property Residential Multiple RM1-h and Open Space OS-h. A maximum of 16 units may be permitted on the lands, and the maximum height of all units shall be two-stories along the Mill Street lot line and three-stories along the surrounding lot lines.

The Holding '-h' symbol is in place on the lands and removal is conditional upon the Municipality approving the detailed Site Plan, the provision of municipal servicing capacity, and the execution of a Development Agreement.

A Minor Variance was also granted by the Committee of Adjustment in March 2007, that permits a reduction to the rear yard setback from 10 metres to 0.75 metres. The original development considered in 2001 anticipated an agreement between the Town and the Developer where the Town would dedicate a portion of the land northwest of the subject property to the Developer, and in return the Developer would provide a trail linkage along the waters edge of the Beaver River along the entire length of the development. That portion of land could no longer be dedicated by the Town, resulting in the Minor Variance.

Additional Comments

An application for Site Plan Approval was submitted in January 2007. The Site Plan and related drawings were circulated through the Towns Development Review Committee and have now been stamped 'Accepted for Construction' by the Town Engineer. A Development Agreement was subsequently prepared, and at the time of writing of this report, all the components of that agreement (including the provisions for a Letter of Credit, Proof of Insurance, Securities, Collection of all Fees, and the preparation of a Survey) have been completed and are currently being reviewed by the Town.

Details of the Site Plan includes provisions for full municipal servicing, including the relocation and upgrade of an existing sanitary sewer line and 6 metre easement that currently services the adjacent residential properties to the south.

A 2 metre wide limestone trail will be constructed from the footbridge along a portion of the Beaver River. The lands required for the trail, plus a cash-in-lieu contribution has

also been provided from the developer for the construction of the remainder of the trail along the subject lands. This section of trail will not be constructed until such time as the Town has secured the ability to complete the trail linkage to the Town Hall property.

Additional fees have also been collected including Development Charges and Parkland Dedication.

Riverwalk Phase I provided \$70,000 as a local service component towards roads and related services improvements along Mill Street from Highway 26 to Bay Street. That \$70,000 covered off the requirements for road upgrades for both Phase I and Phase II lands. The Town has acknowledged this and will not require any additional local service component for roads and related services external to the subject lands. The Town will still collect Development Charges for roads and related service components as identified through the Development Charges Background Study, which also includes sidewalks along Mill Street.

The Development Agreement includes a number of provisions to ensure the development of the 13 townhouse units in accordance with the approved plans.

Notice of the Zoning By-law Amendment application to remove the Holding '-h' Symbol has been circulated to the adjacent property owners for their information. An information meeting was held on October 15, 2007 with questions and answers provided on the latest plans.

Provided that all the outstanding elements of the Development Agreement are completed to the satisfaction of the Town, Planning Staff would have no objection to Council granting a Zoning By-law Amendment to remove the Holding '-h' Symbol from the subject lands. The removal the Holding '-h' Symbol conforms to the direction of the Official Plan, the Town of Thornbury Zoning By-law and further represents good planning.

C. The Blue Mountains' Strategic Plan

Strategic Plan Goal #1:

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

D. Budget Impact

NIL

E. Attached

NIL

Respectfully submitted,

Shawn Postma, BES
Planner II

Robert Armstrong, MCIP, RPP, CPT
Manager of Development Planning & IS