

STAFF REPORT: Town of The Blue Mountains Planning Department



REPORT TO: Mayor and Members of Council
MEETING DATE: Monday, March 5, 2007
REPORT NO.: PL.07.25
SUBJECT: Applications for Consent
File Nos. B24-2006 & B25-2006
Kevin Gust & Christina Ardill
Part Lot 19, Concession 2;
Lots 17 & 18, Registered Plan 501;
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.07.25, “Applications for Consent File Nos. B24-2006 and B25-2006, Kevin Gust and Christina Ardill”; Part Lot 19, Concession 2; Lot 17 and 18, Registered Plan 501; and

THAT Council does hereby refuse Applications for Consent File Nos. B24-2006 and B25-2006.

B. Background

These applications propose to:

B24-2006:

to sever a 1,044 square metre vacant residential parcel while retaining a 522 square metre vacant residential parcel; described as Lot 17, Plan 501; locally known as W/S Craigmere Crescent;

B25-2006:

to sever a 1,044 square metre residential parcel containing a residential dwelling and detached shed while retaining a 522 square metre vacant residential parcel; described as Lot 18, Plan 501; locally known as 126 Craigmere Crescent.

Both retained parcels are to be merged in order to create three lots from the original two lots. (See Diagram – next page)



The surrounding land uses include predominantly single detached residential dwellings to the north, east, south and west. A commercial property known as Alpine Sports Ski Shop is southwest of the subject lands.

Official Plan

The Town of The Blue Mountains Official Plan designates the subject lands as Residential Infilling (RI). The purpose of the Residential Infilling designation is to recognize existing residential plans of subdivision which have been registered and other existing residential areas which have been substantially developed.

Section 4.12 policies state that within registered plans of subdivision further lot creation shall generally be prohibited in order to maintain the intended density and character of the development. In other areas designated Residential Infilling, Section 4.12.3(2) states that individual consents for residential purposes may be considered where:

- (a) the lot(s) being created are of a similar size to those in adjacent areas.
- (b) the development would not adversely affect the character of the area or the natural environment.
- (c) services are provided in accordance with the servicing requirements of Section 5.
- (d) the creation of the new lot does not result in an additional access onto Highway 26.
- (e) the lot complies with the provisions of Section 3.15.

Section 3.15(5) states that a plan of subdivision is designed with the purpose of establishing a particular character for development. As a general rule, the further division of a lot or block within a registered plan shall not be permitted unless specifically provided for under this plan.

The subject properties are registered lots within Subdivision Plan 501 and were entered into the Land Registry on the 16th Day of February, 1956. Five of the original nineteen lots have been altered since that time. Lots 1, 4, 5, 11 and 19 have all been enlarged through lot additions that were the result of the future development patterns and the relocation of the Tyrolean Lane road allowance. One lot (Lot 6) was removed completely for the new road allowance, with a new lot being created on the old road allowance. The new lot is not considered part of Plan 501. (See Attached Item 1)

Considering the criteria under the Official Plan for the creation of new lots in the Residential Infilling designation, further lot creation is generally prohibited in order to maintain the original intended density for the area. New lots can only be considered in cases where it is clearly proven that the policies of Section 4.12.3(2) can be met.

Comparing the lot sizes of the proposed lots to the surrounding area, the proposed lots have 60 ft of frontage each. Plan 501 created lots with an average frontage of 80 ft. The larger lot sizes reflected the lot sizes of the time, and the space required for a well and septic system. Some smaller lots were created as a result of road allowances moving or being stopped up and closed. Looking beyond Plan 501, there are a number of lots with frontages ranging from 52.5 ft to 65 ft from more recent Plans of Subdivision (Plan 1068) which created the smaller lots on full municipal services. Although there is not a consistent or standard lot frontage in the area, it would appear that creating three 60 ft lots on Craigmere Crescent would not be considered similar lot sizes to those lots surrounding the subject lands.

The character of the area is comprised of an area in transition with some older chalet homes and some newer large homes on large lots. It should also be noted that at the Public Meeting a strong majority of objections were received from area residents who did not want to see a third lot created on their street. They felt that an additional lot would be out of character with the surrounding area. Craigmere Crescent is also constructed to a rural road standard, which poses some concern with regard to intensification. Therefore, it would appear that the proposed new lot would create an adverse impact on the character of the area.

The Provincial Policy Statement (PPS) promotes residential infilling and other forms of intensification where full municipal services exist. The Town has received a number of requests to allow for further lot creation within a Plan of Subdivision, but it is our opinion that these types of severances, including this application, should be considered premature until such time as the Town considers this issue comprehensively through an Official Plan Amendment. It should not be construed that this statement in any way

takes a position that further lot creation in this instance would be supported under the comprehensive amendment.

The remaining Official Plan criteria would appear to be met. The proposed three lots front on to full municipal water and sanitary sewers as required under Section 5.

Zoning By-law

The subject lands are zoned Residential (R3) within the Township of Collingwood Zoning By-law 83-40. Permitted uses within the Residential (R3) Zone include a single detached dwelling; a home occupation; a home industry; as well as uses, buildings and structures accessory to those uses. Minimum lot frontage and area requirements of the Residential (R3) Zone are 18 metres (60 ft) and 550 square metres (6000 sq ft) respectively.

The proposed lot configuration appears to comply with the minimum requirements of the Residential (R3) Zone regulations.

Additional Comments

The new Town of The Blue Mountains Official Plan has policies in place that can consider severances within the Residential Infilling designation provided that the severance can meet a number of criteria (as identified above). It should be noted that the previous Craighleith-Camperdown Secondary Plan was in effect prior to the Town of The Blue Mountains Official Plan and that Plan did not permit severances within the Residential Infilling designation. This was reflected in a Council decision in 2001 to refuse a similar application that proposed to split an existing lot into two.

The public meeting was held the 8th Day of January, 2007, as required under the Planning Act. A number of area property owners were in attendance who also submitted letters of support and opposition to the consent applications. Comments in support (7 letters) of the severances indicated no objections to the proposed lot sizes and the impact on the character of the area. Comments against (15 letters) the proposed severances included concerns that the new lots would not preserve the character of the existing density, would increase the demand on water and sewer services, traffic, and the already existing number of vacant lots in the area.

Comments were also received from our agencies. The County of Grey identifies that Karst topography may be on the lands, and an Environmental Impact Study may be required. The Grey Sauble Conservation Authority has no objections.

If Council were to approve the proposed consent applications, a number of conditions should be attached, including, but not limited to, a requirement on the Applicants to legally merge the two retained parcels into one, to be confirmed by a solicitor, that an

entrance permit may be obtained for the new parcel, development charges and parkland dedication.

Based on the foregoing, it is the opinion of Planning Staff that the proposed consents do not comply with the Town of The Blue Mountains Official Plan, and is not appropriate for the lands. Therefore Staff recommends that Applications for Consent File Nos. B24-2006 and B25-2006 be refused.

C. The Blue Mountains' Strategic Plan

N/A

D. Budget Impact

N/A

E. Attached

1. Registered Plan 501.

Respectfully submitted,

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/bp

Attached Item 1



SCALE
1:2,500



BNP
Created: Feb. 13/07

Registered Plan 501

Registered Plan 501 - Original

Registered Plan 501 - At Present