

STAFF REPORT: Town of The Blue Mountains Planning Department



REPORT TO: Mayor and Town Council
REPORT NO.: PL.07.29
**SUBJECT: Condition for Minor Variance -
Development Agreement
Kym and Carole Anthony
Part Lot 21 Concession 11
727502 21st Sideroad
Town of The Blue Mountains**

PREPARED BY: Shawn Postma, Planner II

A. Recommendations

THAT Council does receive Planning Staff Report PL.07.29, “Condition for Minor Variance – Kym and Carole Anthony”; Part Lot 21, Concession 11;

AND THAT Council authorize the Mayor and Clerk to execute a Development Agreement for the temporary use of the existing dwelling while a new dwelling is being constructed.

B. Background

The purpose of this report is to consider a condition imposed by the Committee of Adjustment for Minor Variance Application A03-2007. The Committee granted conditional approval for the temporary use of the existing dwelling on the subject property while a new dwelling is constructed on the same property.

Relief was requested to Section 8.1 of the Township of Collingwood Zoning By-law 83-40. The By-law permits only one single detached dwelling per lot.

The Committee of Adjustment found that the application for a second dwelling unit on the property met the four tests for minor variance, provided that the use of the existing dwelling is temporary only. Upon completion of the new dwelling, the existing dwelling will be required to be removed from the property. In order to ensure that the original dwelling is removed, a condition was placed on the Committee’s decision that the Owners enter into a Development Agreement with the Town to ensure the dwelling is removed from the property within two years from issuance of the building permit, or within sixty days of the occupation of the new dwelling, whichever comes first.

The attached Agreement has been the standard form for the Town of The Blue Mountains and has proven successful in its enforcement in the past.

Based on the foregoing, Planning Staff recommends that council authorize the execution of the attached agreement, and thereby fulfilling the conditions for the Minor Variance.

C. The Blue Mountains' Strategic Plan

N/A

D. Budget Impact

NIL

E. Attached

1. Development Agreement – Kym and Carole Anthony
To be circulated Thursday, March 15, 2007

Respectfully submitted,

Shawn Postma, Planner II