

STAFF REPORT: Town of The Blue Mountains Planning Department



REPORT TO: Mayor and Members of Council

MEETING DATE: Monday, May 7, 2007

REPORT NO.: PL.07.58

SUBJECT: Application for Consent
File No. B05-2007
Allan Dinsmore
Part Lot 7, Concession 4;
595411 4th Line; and
Application for Consent
File No. B06-2007
Stewart & Ruth Picken
Part Lot 7, Concession 4;
595419 4th Line;
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.07.58, "Application for Consent File No. B05-2007, Allan Dinsmore; and Application for Consent File No. B06-2007, Stewart and Ruth Picken"; Part Lot 7, Concession 4;

AND THAT Council does hereby grant approval to Application for Consent File No. B05-2007, subject to the following conditions:

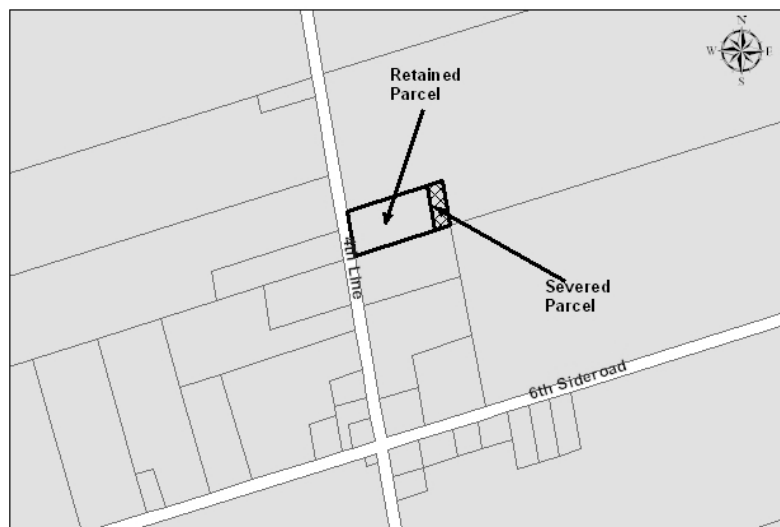
- 1. A Zoning By-Law Amendment to rezone the severed parcel from the Rural Residential (RUR) Zone to the General Rural (A1) Zone.**
- 2. That the severed parcel be deeded as a lot addition to the property to the north in accordance with Section 50 (3) of the Planning Act, R.S.O. 1990.**
- 3. That any existing mortgage commitment on the severed parcel to be added to be extended to cover the whole, newly created parcel.**

AND THAT Council does hereby grant approval to Application for Consent File No. B06-2007, subject to the following conditions:

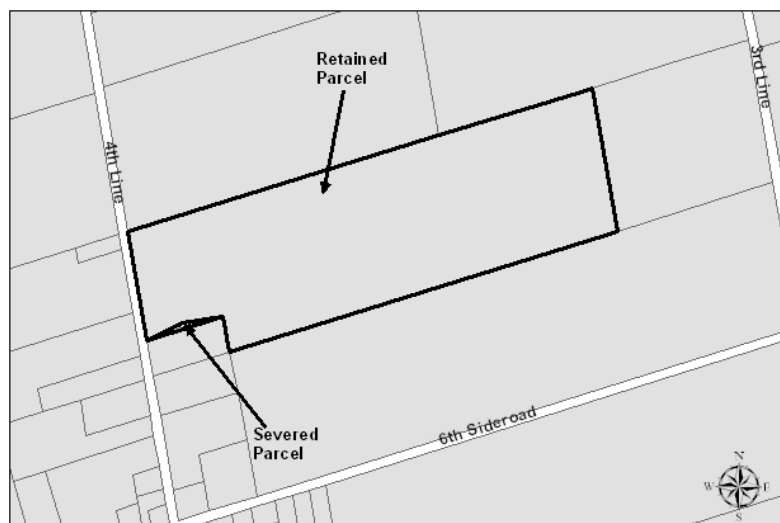
1. A Zoning By-Law Amendment to rezone the severed parcel from the General Rural (A1) Zone to the Rural Residential (RUR) Zone.
2. That the severed parcel be deeded as a lot addition to the property to the south in accordance with Section 50 (3) of the Planning Act, R.S.O. 1990.
3. That any existing mortgage commitment on the severed parcel to be added to be extended to cover the whole, newly created parcel.

B. Background

The purpose of Application for Consent File No. B05-2007 is to consider a request to sever a 935 square metre vacant parcel on the eastern portion of the property; and deeding it as a lot addition to the existing 29.64 hectare rural parcel to the east. An 11,854 square metre residential parcel will be retained (see key map to the right).



The purpose of Application for Consent File No. B06-2007 is to consider a request to sever a 935 square metre parcel on the southwest portion of the property; and deeding it as a lot addition to the existing 12,789 square metre residential parcel to the south. A 29.55 hectare rural parcel will be retained, containing an existing dwelling (see key map to the right).



These two applications for consent are to facilitate an equal exchange of lands between the two owners that would correct a surveying error related to the construction of a new dwelling on the Dinsmore Property.

The surrounding uses include large agricultural and rural residential parcels to the north, east and west; and the community of Gibraltar to the south.

The Town of The Blue Mountains Official Plan designates the residential parcel as Village Centre (VCTR) and the rural parcel as Rural (R). The purpose of the Village Centre (VCTR) designation is to identify the principle hamlet settlements intended to provide secondary retail/commercial function as well as residential uses. Policies state that new residential development should complement the existing character of the Village Centre. This may be accomplished by retaining similar design and form of surrounding buildings and similar setback and landscaping standards. The purpose of the Rural (R) designation is to provide for the continuation of agricultural production in areas of generally lower capability soils while permitting other uses considered compatible with the rural environment. New lots would not be permitted on either parcel. However, in this case no new lots are being proposed, and the lot additions are minor in nature as they correct an inadvertent surveying error.

Section 9.2 consent policies state that consents may be granted for boundary adjustments which do not create separate lots and shall be evaluated on their own merit. Minor boundary adjustments may be permitted without an amendment to the Official Plan provided the intent of the plan is maintained. The extent to which any consent may affect existing mortgages, especially with regard to lot additions, may be addressed as a condition of consent. Therefore, the proposed land exchange conforms to policies of the Official Plan.

The residential parcel is zoned Rural Residential (RUR) and the rural parcel is zoned General Rural (A1) and Hazard (H) within the Township of Collingwood Zoning By-law 83-40. Permitted uses within the Rural Residential (RUR) Zone include a single detached dwelling; home occupation; home industry; agricultural uses excluding buildings and structures; and uses, buildings and structures accessory to the dwelling. Permitted uses within the General Rural (A1) Zone include agricultural uses, a single detached dwelling on one lot, forestry and conservation, as well as uses, buildings and structures accessory to those uses.

The proposed land exchange appears to bring the new dwelling in conformity with the Zoning By-law. As a condition of consent, a zoning by-law amendment will be required to reflect the zoning of the parcel in which the lands are being added.

Comments were received from the County of Grey - Planning and Development Department; Grey Sauble Conservation Authority; Grey Bruce Health Unit; and Niagara Escarpment Commission. These comments are summarized below.

The County of Grey Planning and Development Department state that the subject properties are within the 50 metre adjacent lands of an Earth Science Area of Natural and Scientific Interest (ANSI). Prior to development within 50 metres of an ANSI an Environmental Impact Study (EIS) must normally be completed, but due to the nature of these applications and that no new development is proposed, an EIS will not be required.

The Grey Sauble Conservation Authority has no objections and state that a portion of the rural parcel is with Ontario Regulation 151/06 which requires a permit prior to the construction of buildings or structures, the temporary or permanent placement of fill within the designated area, interference with a wetland, and/or the straightening, changing, diverting or in any way interfering with an existing channel of a river, lake, creek, stream or watercourse. Also, a 50 metre development setback from the Gibraltar Moraine Earth Science Area of Natural and Scientific Interest (ANSI) extends onto the western portion of the residential and rural parcels.

The Grey Bruce Health Unit and Niagara Escarpment Commission have no objections to the proposed consents.

The public meeting was held on the 2nd Day of April, 2007, as required under the Planning Act. A concern was raised over the dimensions of the parcels to be exchanged. The preliminary survey plan clearly shows that the land exchange will result in appropriate lot boundaries. This will be confirmed again with the Town prior to the registration of the lots.

Based on the foregoing, it is the opinion of Planning Staff that the proposed consents conform to the direction of the Official Plan; and recommends that Council grant Application for Consent File Nos. B05-2007 and B06-2007, conditional upon a zoning by-law amendment, the Planning Act and mortgage requirements.

C. The Blue Mountains' Strategic Plan

These changes continue to be consistent with 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,

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Planner II

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Manager of Development Planning & IS

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