

STAFF REPORT: Town of The Blue Mountains Planning Department



REPORT TO: Mayor and Members of Council

MEETING DATE: June 18, 2007

REPORT NO.: PL.07.74

SUBJECT: Application for Consent
File No. B07-2007 and B08-2007
Andrew and Sheila Brown
Part Lot 25, Concession 11;
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.07.74, "Application for Consent File No. B07-2007 and B08-2007, Andrew and Sheila Brown"; Part Lot 25, Concession 11;

AND THAT Council does hereby grant approval to Application for Consent File No. B07-2007 and B08-2007, subject to the following conditions:

- 1. A Zoning By-Law Amendment to rezone the severed parcels from the General Rural (A1) Zone to the Rural Residential (RUR) Zone, and to establish a new minimum lot area of 6.4 hectares for the retained parcel.**
- 2. That the severed parcels be deeded as lot additions to their respective property to the east in accordance with Section 50 (3) of the Planning Act, R.S.O. 1990.**
- 3. That any existing mortgage commitment on the severed parcels be added to cover the whole, newly created parcel.**

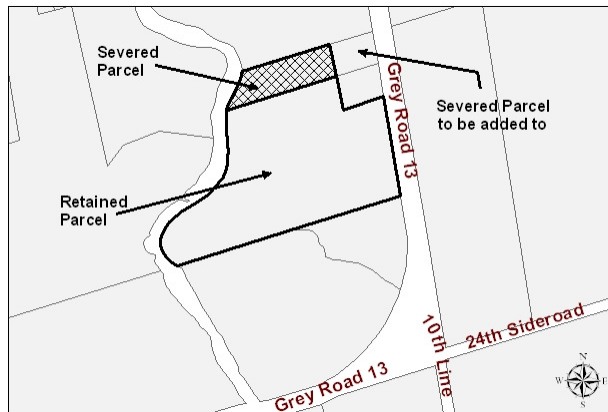
AND THAT Council does hereby grant approval for a Zoning By-law Amendment to rezone the severed portions of consent applications B07-2007 and B08-2007 from the General Rural 'A1' zone to the Rural Residential 'RUR' zone and further to recognize a new minimum lot area of 6.49 hectares for the retained parcel.

B. Background

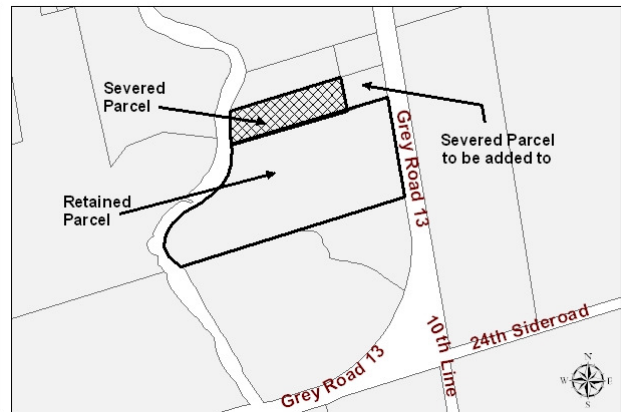
The purpose of these applications for consent is to consider a request by the owners to sever two parcels approximately 1.25 hectares in size each from an existing rural parcel and deed them as lot additions to two existing rural residential lots. A 6.5 hectare rural parcel containing an existing dwelling, garage, workshop and storage barn will be

retained. All parcels are within the Brown family. The intent of these consents is to provide for additional property on two residential lots each 0.46 hectares in size, and also to provide river frontage on to the Beaver River.

B07-2007



B08-2007



Surrounding land uses include a mix of rural residential lots and agricultural lands. Existing orchards and specialty crop lands are located to the southwest, the Village of Slabtown to the north, and the Municipal landfill site to the north-east.

The property is serviced by private well water and septic sewage supply.

The Town of The Blue Mountains Official Plan designates the subject lands as Rural 'R'. 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 may be created under strict control, with new lots generally being 10 hectares in size, and no smaller than 0.80 hectares in size.

It would appear that the proposed lot additions conform with the direction of the Official Plan. The lands were formerly in orchard production, but have since been removed due to the soils and small lot size. The owners of the lands have been active in planting new trees over the entire property converting the lands back into forest. Based on the small lot size, and under consideration that the lands could not be economically reclaimed for agricultural use, there does not appear to be any need to maintain the existing lot size for agricultural production. No new lots are being created. Two undersized lots will be enlarged providing additional space available for the permitted uses.

The subject lands are zoned General Rural 'A1' and Hazard 'H' within the Township of Collingwood Zoning By-law 83-40. 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. Minimum lot frontage and area requirements are 150 metres and 20 hectares. The

existing lots to be enlarged are zoned Rural Residential 'RUR', permitting a single detached dwelling; home occupation; home industry; agricultural uses excluding buildings and structures; and uses, buildings and structures accessory to the dwelling.

A Zoning By-law Amendment is required to permit the proposed lot additions. The severed portions of the lands require a rezoning from General Rural 'A1' to Rural Residential 'RUR' consistent with the existing lots, while the retained parcel requires an amendment recognizing a new minimum lot area of 6.4 hectares. An application for Zoning By-law Amendment has been submitted in conjunction with the severance applications, and it would appear that the proposed amendment will bring all the lands into compliance with the Zoning By-law.

Comments were received from the Grey County Planning Department, Grey County Transportation and Public Safety Department, and the Grey Sauble Conservation Authority. The public meeting was held on May 23, 2007 with no members of the Public present to identify any questions or concerns. The County of Grey originally commented that the proposed lot additions did not comply with the Agricultural policies of the County Plan. However, after a follow up discussion with the County, they have revised their comments, now noting the lands being designated Rural, and now have no objections. They further noted that this change in designation will be addressed through the 5 year review of the County Plan. The Conservation Authority noted their requirements regarding the appropriate setback from the Beaver River and one of its tributaries. A minimum 30 metre setback is required from the Beaver River and the tributary, with the Conservation Authority further noting that the existing Hazard 'H' boundaries in the Zoning By-law adequately recognize that setback. Therefore they have no objections.

Based on the foregoing, it is the opinion of Planning Staff that the proposed consents and Zoning By-law Amendment conforms with the direction of the Official Plan and Zoning By-law; and therefore recommends that Council grant Application for Consent File Nos. B07-2007 and B08-2007, conditional upon the following:

1. A Zoning By-Law Amendment to rezone the severed parcels from the General Rural (A1) Zone to the Rural Residential (RUR) Zone, and to establish a new minimum lot area of 6.4 hectares for the retained parcel.
2. That the severed parcels be deeded as lot additions to their respective property to the east in accordance with Section 50 (3) of the Planning Act, R.S.O. 1990.
3. That any existing mortgage commitment on the severed parcels be added to cover the whole, newly created parcel.

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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Manager of Development Planning & IS