

STAFF REPORT: Town of The Blue Mountains Planning Department



REPORT TO: Council
MEETING DATE: December 01, 2008
REPORT NO.: PL.08.130
SUBJECT: Application for Zoning By-law
Amendment – Trevor Muntwyler
Lots 39 & 40, Plan 931
183 Lake Drive
Town of The Blue Mountains
PREPARED BY: Shawn Postma,
Planner II

A. Recommendations

THAT Council does receive Planning Staff Report PL.08.130, “Application for Zoning By-law Amendment – Trevor Muntwyler, Lots 39 & 40, Plan 931, 183 Lake Drive, Town of The Blue Mountains”; and

THAT Planning Staff support a Zoning By-law Amendment to establish a new building envelope on the subject lands.

B. Background

The purpose of this By-law is to satisfy a request by the applicant to establish a new building envelope for the property by re-defining the boundaries of the Hazard ‘H’ Zone. Recent site works to the property have been completed through a Grey Sauble Conservation Authority Permit, which brought in engineered fill intending to increase the developable area on the subject property.

The owners of the lands have requested that this application be considered for approval as soon as possible due to unforeseen financial matters. Although it is common practice for the Town to consider applications after the statutory public meeting, it is the opinion of staff that in this case, an exception can be made to accommodate the owners request.

The lands are located on the north side of Lake Drive, surrounded by existing residential cottages and homes, the Lora Bay Golf Course and Nottawasaga Bay. The lots do not front municipal water or municipal sewers at this time. The Lake Drive Servicing Project intends to bring municipal water and sewer services. At this time the project does not have a confirmed start date.

The owners intend to construct a new single detached dwelling with a maximum footprint of 205 square metres. It is also their intent to begin construction immediately, including the installation of a private septic system. The owners are aware that when the Lake Drive Project proceeds, that they will be required to connect to full municipal services when available.

The Town of The Blue Mountains Official Plan designates the subject lands as Residential Infilling and Hazard. These designations recognize the existing built up areas within the Municipality and permits single detached dwellings, parks, open space, as well as accessory uses. The Hazard designation recognizes areas with natural constraints where development is generally prohibited.

Through By-law Amendment 1990-85 to the Township of Collingwood Zoning By-law, being By-law 83-40, the property is zoned Residential R3 and includes a building envelope, which recognizes the suitable buildable area on the property.

The effect of the proposed By-law amendment would establish a new building envelope that would increase the setbacks from the street and from the water, (move the buildable area further away from Lake Drive and the Bay), and reduce the setbacks from both interior side yards. (adding buildable area closer to each side lot line), see attached.

The proposed building envelope complies with the minimum requirements of the Residential 'R3' zone.

The application has been circulated to the County of Grey, the Grey Sauble Conservation Authority and the Grey Bruce Health Unit. At the time of writing this report, no comments have been received. Staff has discussed this application with the Conservation Authority who have indicated that the fill placed on the property was generally completed in accordance with their fill permit. They do not anticipate any objections to the revised building envelope, but the Town is still awaiting their formal comments.

No other issues or concerns have been raised at this time, and provided that Council is satisfied that there are no other objections, Planning Staff would support the proposed Zoning By-law Amendment, as the new building envelope would appear to comply with the Official Plan, maintains the intent of the Zoning By-law, and is appropriate for the lands.

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. Environmental Impact

The proposed Zoning By-law Amendment does not appear to generate any significant environmental impacts that can be regulated by the Town.

F. Attached

1. Building Envelope Comparison
2. Draft By-law

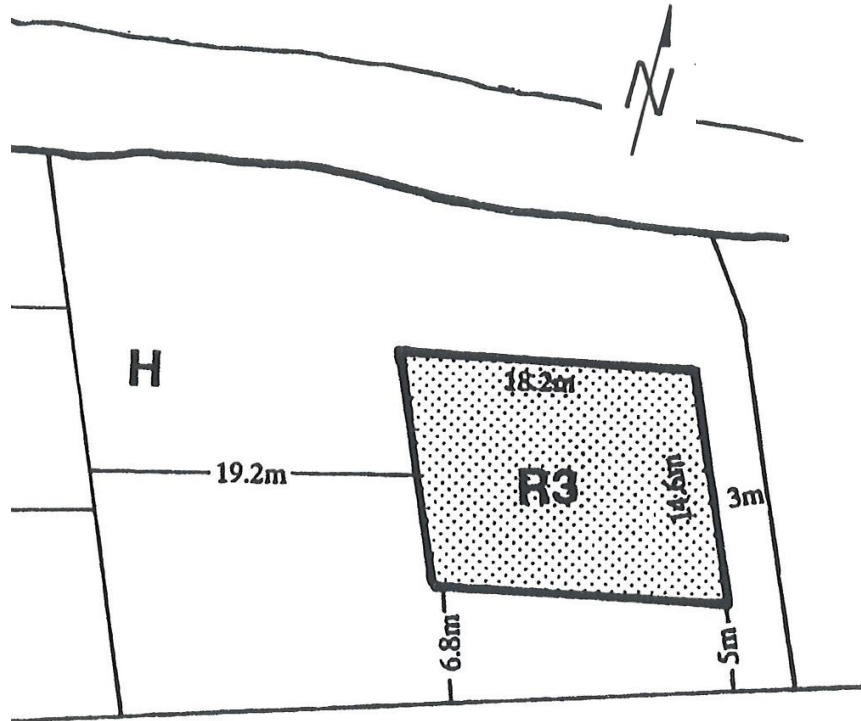
Respectfully submitted,

Shawn Postma, Planner II

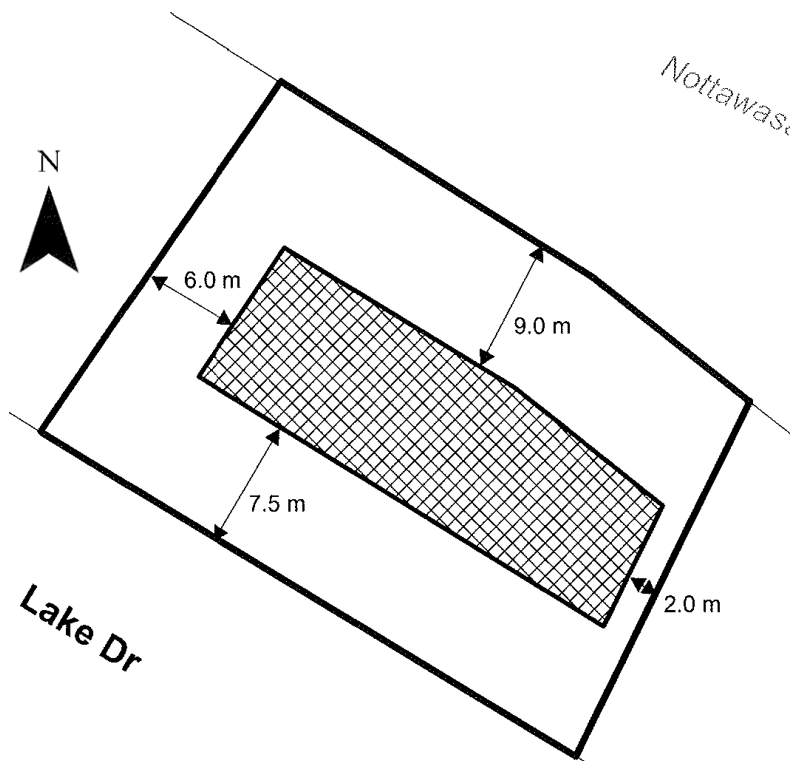
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Building Envelope Comparison:

EXISTING (From By-law 1990-85)



PROPOSED



THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS

BY-LAW NO. _____

Being a By-law to amend Zoning By-law No. 83-40
which may be cited as "The Township of Collingwood
Zoning By-law".

WHEREAS the Council of the Corporation of the Town of The Blue Mountains deems it necessary in the public interest to pass a by-law to amend By-law No. 83-40;

AND WHEREAS pursuant to the provisions of Section 34 of the Planning Act, the By-law may be amended by Council of the Municipality;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS ENACTS AS FOLLOWS:

1. Map 4 to Schedule 'A', of the Township of Collingwood Zoning By-law, being By-law 83-40 as amended is hereby further amended by rezoning the subject lands from the Hazard 'H' zone to the Residential 'R3' zone for those lands lying and being in the Town of The Blue Mountains, comprised of Lots 39 and 40, Plan 931; as indicated on the attached key map Schedule "A-1".
2. Schedule "A-1" is hereby declared to form part of this By-law.

AND FURTHER that this By-law shall come into force and take effect upon the enactment thereof.

Enacted and passed this _____ day of _____, 2008.

Ellen Anderson, Mayor

Stephen Keast, Clerk

I hereby certify that the foregoing is a true copy of By-law No. _____ as enacted by the Council of the Corporation of the Town of The Blue Mountains on the _____ day of _____, 2008.

DATED at _____ this _____ day of _____, 2008.

Signed: _____
Stephen Keast, Clerk

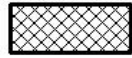
Town of The Blue Mountains

Key Map Schedule A-1

By-Law No. _____



Area Affected By This Amendment



Area To Be Rezoned To The Residential (R3) Zone

