

STAFF REPORT: **Town of The Blue Mountains Planning Department**



REPORT TO: **Mayor and Members of Council**

MEETING DATE: **Monday, February 4, 2008**

REPORT NO.: **PL.08.17**

SUBJECT: **Draft Plan of Condominium
File No. 42-CDM-2007-15
Neighbourhood of Delphi Point
Part Lot 26, Concession 5;
Town of The Blue Mountains**

PREPARED BY: **Robert Armstrong,
Manager of Development Planning & IS**

A. Recommendations

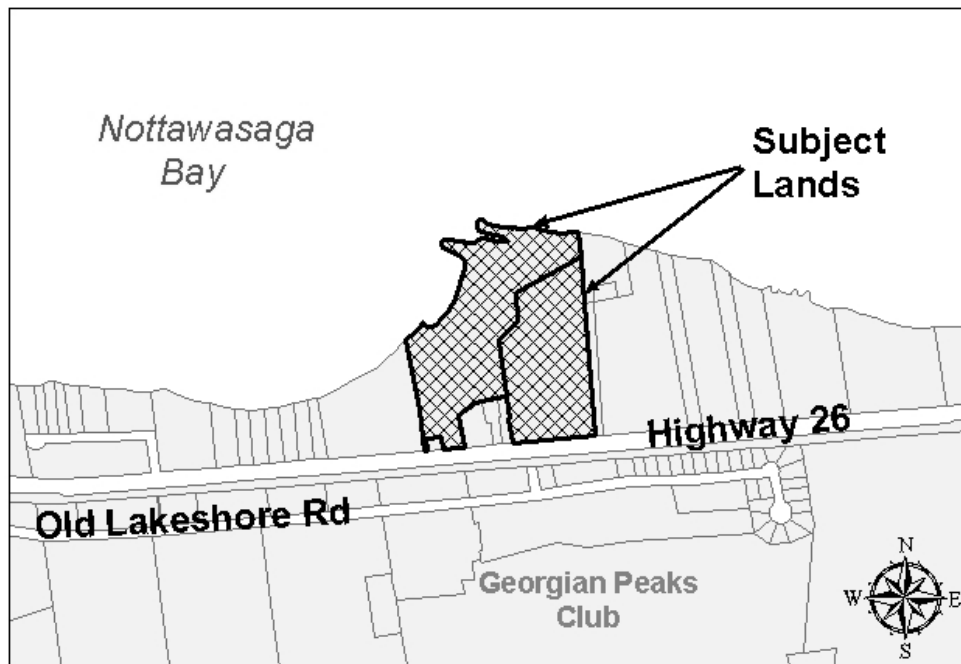
THAT Planning Staff support a recommendation to the County of Grey to grant Draft Plan Approval of the Condominium File No. 42-CDM-2007-15, subject to the conditions contained in this report.

B. Background

The subject lands were part of the original approvals by the Ontario Municipal Board (OMB) for the Camperdown Developments known as Delphi and Phoebus. Since the original approval by the OMB, the lands were acquired by another developer who proposed to change the format of the development from a Common Elements Plan of Condominium to a Vacant Land Plan of Condominium.

To facilitate this change, the original Draft Plan of Subdivision and Zoning By-law were modified by the OMB as per order 2282 of August 15, 2007. The Draft Plan of Subdivision was modified to include all of the open space blocks to be dedicated to the Town, the public road and the future development blocks that would be subject to the subsequent application for Plan of Condominium or other form of development.

The proponent has now applied to the County of Grey for a Vacant Land Draft Plan of Condominium to the County of Grey (File No. 42CDM-2007-15). The Plan includes 65 townhouse units and 50 single detached units. The Plan includes a Phasing line that is intended to represent the servicing limitation established by the OMB (maximum of 94 units until servicing capacity within the Thornbury Sewage Treatment plant is addressed). In this regard, the Draft Plan Approval can only apply to Phase 1.



Comments

The current phasing line includes the 72 units proposed under the Plan of Condominium as Phase 1. In addition, the two townhouse blocks (Blocks 5 and 6 under the Draft Plan of Subdivision) that front upon the proposed public street are also to be in Phase 1. There are 22 units proposed on the Townhouse blocks. This would comply with the servicing limitations established through the approval.

It would appear that the Zoning By-law that was recently approved limits the phase 1 area to 72 units which does not facilitate the multi blocks. This can be resolved by leaving the development of Blocks 5 and 6 to Phase 2 until the Zoning By-law is modified. This would allow the County to proceed with the Draft Plan Approval of Phase 1 of the Condominium. Once the zoning issue is resolved with the OMB, the proponent can proceed with an additional 22 units on Blocks 5 and 6.

It is also noted that the current By-law only permits a maximum of 146 units wherein 165 units were originally permitted under the By-law. It would appear that this resulted from Blocks 5 and 6 being removed from the Plan of Condominium. We are proceeding to resolve the unit yield with the OMB under the Zoning By-law approval. This will not affect the support of Phase 1 of the current Draft Plan Approval with the understanding that Blocks 5 and 6 are not part of Phase 1.

The current plan is fairly consistent with the land use disbursement (singles and townhomes), save and except the modification to single detached dwellings in the south-west corner.

There are a few issues that have been raised as part of the Development Review process. This includes the proposed sanitary sewer servicing and the details of the proposed parking and snow removal area. With regard to the sanitary sewer servicing, it is our understanding that the proponent is proposing to have a public sewer enter the private sewer system with the condo and then exit back out into the public system. We note that this is contrary to Town policy. This will need to be resolved under the technical review process that includes the detailed engineering for the development.

Staff supports the provision of snow storage in the development and the provision of additional parking as conceptually shown on the Draft Plan. We do however have concern with the relationship of these two uses, as well potential landscaping of these areas. A conflict can arise with the usage of the parking spaces for snow storage when the historic need for these spaces is the greatest. This is a matter that needs to be part of the detailed review process.

The Niagara Escarpment Commission and the Grey Sauble Conservation Authority are supportive of this application provided the conditions applied under the original OMB approval are brought forward.

The County of Grey has also exempted this development from the requirement to hold a public meeting as part of the approval process on the basis of the previous process through the Ontario Municipal Board.

Plan of Condominium

The proposed Plan of Condominium would appear appropriate for the subject lands and therefore we would support the Draft Plan Approval by the County of Grey subject to the following Town conditions:

1. That this approval applies to Phase 1 of the Vacant Land Plan of Condominium prepared by Upper Canada Consultants dated November 12, 2007, showing a total of 72 residential units (Units 1 to 62 and 107 to 116), Streets "B", "C" and "D", Blocks 11, 12, 22 to 25 and Part Block 20 as common elements to the Vacant Land Plan of Condominium on Part of Lot 26, Concession 5 (formerly Twp. of Collingwood) in the Town of The Blue Mountains in the County of Grey.
2. The owner shall pay cash-in-lieu of parkland dedication in accordance with the provisions of the *Planning Act*.
3. That the owner agrees to satisfy all the requirements, financial and otherwise, of the Town of The Blue Mountains concerning the provision of roads, installation of services and any other financial matter consistent with Minutes of Settlement dated May 2, 2003 as amended, between the Town and the Owner and

appropriate provisions be contained in the subdivision agreement.

4. That prior to final approval, appropriate zoning is in effect for this proposed subdivision, to the satisfaction of the Grey Sauble Conservation Authority and the Niagara Escarpment Commission.
5. That Streets B, C and D (common element roads) shall be named to the satisfaction of the Town of The Blue Mountains.
6. That a Development Agreement between the owner and the Town shall be entered into and registered against the lands to which it applies.
7. That such easements and interests for the plan of condominium as may be required for access, servicing, utility or drainage shall be granted to the appropriate authority or landowner, including appropriate stormwater management facilities, sewer line connections, as well as appropriate provisions for maintenance and default in accordance with Town standards.
8. That prior to final approval:
 - a) Detailed grading, ground and surface water, and stormwater management plans shall be prepared by a professional engineer that will address the means to control erosion, sedimentation, ground and surface water flow within the development lands and stormwater quality management both during and after construction for the subject lands and lands subject of draft plan 42T-95006, all having regard for in accordance with the framework described in the Supplementary Servicing Reports prepared by CF Crozier & Associates Inc., dated January 21, 2005. These plans will demonstrate how fill requirements and tree clearing are being minimized, and shall incorporate a water balance analysis and management strategy prepared by a hydro-geologist that will address the means to maintain the surface and ground water conditions sustaining wetland habitat functions within Block 10 of the adjacent draft M Plan including definition of the building setbacks from wetland edges considered necessary to sustain wetland functions. They shall be prepared to the satisfaction of the municipality in consultation with the Grey Sauble Conservation Authority and the Niagara Escarpment Commission;
 - b) A Tree Preservation and Landscape Plans for the property shall be prepared to the satisfaction of the municipality in consultation with the Grey Sauble Conservation Authority and the Niagara Escarpment Commission;
 - c) The Development Agreement between the owner and the Town of The Blue Mountains contain provisions in wording acceptable to the Town of The Blue

Mountains, in consultation with the Niagara Escarpment Commission and the Grey Sauble Conservation Authority that will ensure the implementation of the above approved plans.

9. That development shall be subject to suitable arrangements for the extension of municipal water and sewer services and the availability of adequate water and sewage allocations in accordance with the servicing provisions of the Official Plan and Minutes of Settlement.
10. That the Owner shall not construct internal services for the plan prior to entering into a pre-servicing agreement or subdivision agreement.

In addition, those comments from the agencies (MTO and NEC) would also need to be considered by the County for inclusion within the Draft Plan conditions.

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 Statement

NIL

E. Attachment

1. Draft Plan of Condo

Respectfully submitted,

Robert Armstrong, MCIP, RPP, CPT
Manager of Development Planning & IS
26 Bridge Street, PO Box 310
Thornbury, ON NOH 2P0
Phone: 519-599-3131 ext.242
Fax: 519-599-3018
E-mail: rarmstrong@thebluemountains.ca