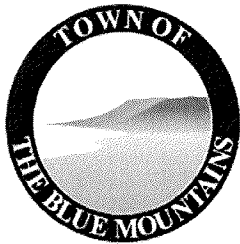


C.7

STAFF REPORT: Town of The Blue Mountains Planning Department



REPORT TO: Mayor and Members of Council
MEETING DATE: Monday, June 02, 2008
REPORT NO.: PL.08.58
SUBJECT: Application for Zoning By-law Amendment
2145317 Ontario Limited (LMCM Holdings)
Part Lot 19, Concession 2
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.08.58, "Application for Zoning By-law Amendment, 2145317 Ontario Limited (LMCM Holdings), Part Lot 19, Concession 2, Town of The Blue Mountains";

AND THAT Planning Staff support a Zoning By-law Amendment to rezone a portion of the subject lands from the Residential R2 Zone and Private Open Space OS2 Zone to the Public Open Space OS1 Zone.

B. Background

The purpose of this By-law is to address a red-line revision to Draft Plan of Subdivision 42T-2001-01. The revision is required as a result of the final engineering design which proposed to establish a stormwater management facility on site. The 41 total units which are currently draft plan approved will be retained. Three lots will be removed from the north-east corner of the development and added to the seven lots along Tyrolean Lane.

At the time of Draft Plan Approval, it was anticipated that the stormwater management needs for the proposed subdivision could be dealt with off-site at a regional stormwater facility. Following that, the final engineering work was being completed and it was noted that the stormwater was going to have to be managed on-site. The proposed revision to the draft plan of subdivision recognizes this change, as well as a technical amendment to rezone the servicing corridors and pedestrian access / trails from Private Open Space to Public Open Space.

Draft Plan Approval for the proposed 41 lot single detached residential plan of subdivision was granted by the County of Grey on March 13, 2003. As a condition, Draft approval was to expire in three years in accordance with the County and Town

Plan. Two extensions have been granted to date, and Draft approval remains in place with an expiration date of March 2009.

The proposed frontages and lot areas for the affected lots along Tyrolean Lane will be reduced from approximately 27.4 m to 20 m, and from 786 sq m in area to 574 sq m. The approved zoning for this area is Residential R3 and a Zoning By-law Amendment is not required to recognize this change. The minimum lot frontage and lot area requirement under the R3 zone is 18 metres and 550 square metres.

A joint public meeting between the Town of The Blue Mountains regarding the Zoning By-law Amendment and the County of Grey regarding the red-line revision to the Draft Plan of Subdivision was held on May 5, 2008. A concern regarding the compatibility between the proposed subdivision and the surrounding short term rental uses was raised. The original statutory public meetings dealing with these applications were heard in May 2001. The proposal to introduce single family residential uses was well received however concerns were expressed at that time by the public regarding potential use as short term rental properties with the noise and traffic issues experienced by other land sources in the general area due to the party atmosphere created. This concern has been expressed previously with respect to a similar proposal on these lands as well as other developments in the area. As a result, a By-law was passed by Council in May 2003 which included a new definition for a "dwelling unit" that was in-keeping with a new Provincial definition, and would also appear to effectively remove any opportunity to introduce a short term rental use into the subdivision. If the Owner of the development, or subsequent lot owners wish to use their property for a short term rental use, a subsequent Zoning By-law Amendment would be required.

To address the issue of compatibility of conventional residential dwellings with short term rentals, a notice and warning clause will be placed in the Subdivision Agreement.

Based on the foregoing, it is the opinion of Planning Staff that the proposed Zoning By-law Amendment conforms to the direction of the Official Plan, and original Draft Plan Approval; and would therefore have no objections to the granting of a Zoning By-law Amendment.

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

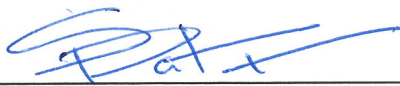
E. Environmental Impact

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

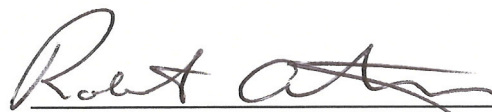
F. Attachments

1. Comparison: Original Draft Plan, Red-line Revised Plan
2. Draft Zoning By-law Amendment

Respectfully submitted,



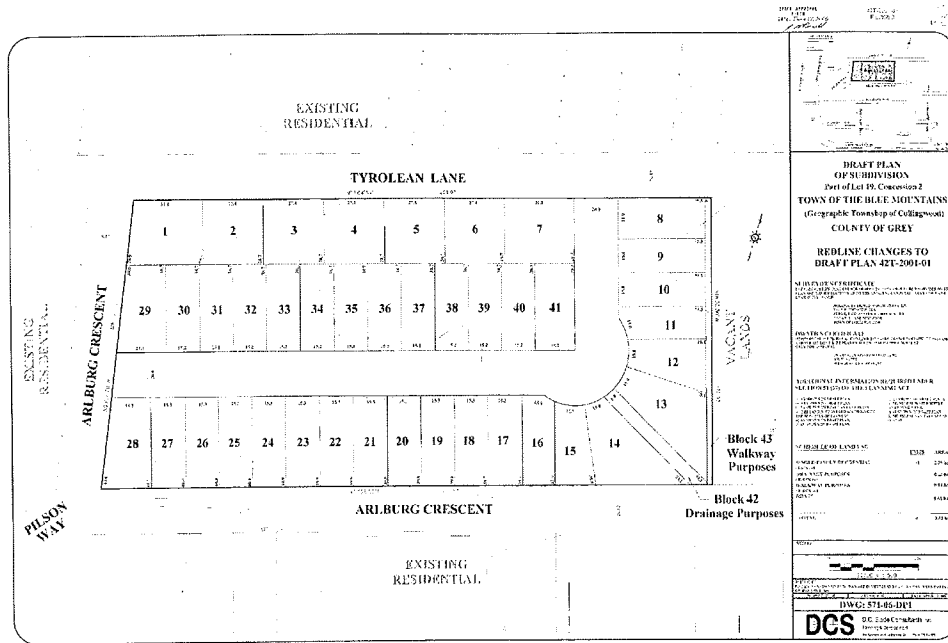
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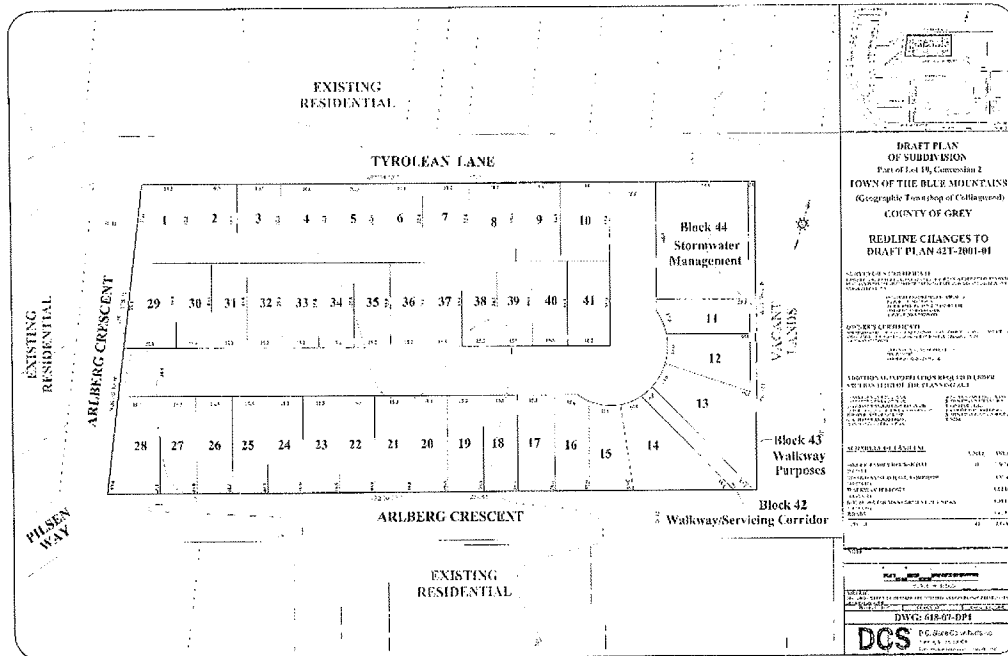
Robert Armstrong, MCIP, RPP, CPT
Manager of Development Planning & IS
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rarmstrong@thebluemountains.ca

Attached Item #1: Comparison: Original Draft Plan, Red-line Revised Plan

Original Draft Plan Approval



Red-line Revision



D.5

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 10 to Schedule 'A' to the Zoning By-law of the Township of Collingwood, being By-law 83-40, as amended, is hereby further amended by rezoning from the Residential (R2) Zone and Private Open Space (OS2) Zone to the Residential (R2-h) Zone, Residential (R3-h) Zone and Public Open Space (OS1) Zone for those lands lying and being in the Town of The Blue Mountains, comprised of Part Lot 19, Concession 2, and Part 1 of Reference Plan 16R-2119 as indicated on the attached 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

Corrina Giles, Deputy-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: _____
Corrina Giles, Deputy-Clerk

Town of The Blue Mountains

Key Map Schedule A-1

By-Law No. _____



AREA AFFECTED BY THIS AMENDMENT

