

STAFF REPORT: Planning & Building Services Department



REPORT TO: Planning & Building Committee
MEETING DATE: Monday, May 4, 2009
REPORT NO.: PL.09.48
SUBJECT: Draft Plan of Condominium
County of Grey File #42-CDM-2009-01
Willow Creek At Blue Inc.
Parts 1 & 2, RP 16R-8686;
Part Lot 18, Concessions 1 & 2;
689616 Monterra Road;
Town of The Blue Mountains

PREPARED BY: Bryan Pearce,
Planner I

A. Recommendations

THAT Council receive Planning Staff Report PL.09.48, "Draft Plan of Condominium County of Grey File No. 42-CDM-2009-01" – Willow Creek At Blue Inc.; Parts 1 & 2, RP 16R-8686; Part Lot 18, Concessions 1 & 2; 689616 Monterra Road; Town of The Blue Mountains"; and

THAT Planning Staff supports granting approval of the Phased Standard Condominium by the County of Grey conditional upon the following:

1. That Committee of Adjustment Decision A05-2009 be final and binding; and
2. That the existing Development Agreement executed on the 30th day of October, 2008 be amended to reflect the phasing lines consistent with the Draft Plan of Condominium County of Grey File No. 42-CDM-2009-01; and

That Planning Staff supports Draft Plan of Condominium County of Grey File No. 42-CDM-2009-01 being exempt from the application process based on the current approval status; and further

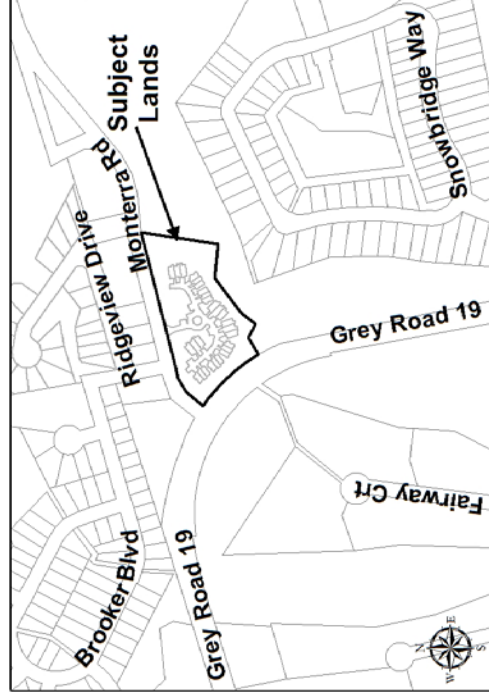
THAT Council authorize the forwarding of this Report to the County of Grey as comments on the application for Plan of Condominium, being County of Grey File No. 42-CDM-2009-01 for consideration.

B. Background

The approval requested under this application is for the registration of the Monterra Ridge Development consisting of nine residential building pods, each containing three units for a total of twenty-seven on the subject lands.

The Town previously granted site plan approval in December 2006 through Planning Staff Report PL.06.156; and executed a Development Agreement on the 30th day of October, 2008.

With regards to the development, site services were installed in the fall of 2008 and building permits have been issued for the construction of two building pods. Within the draft plan, the building pod containing units 4 to 6 commenced in the fall of 2008 while the building pod containing units 7 to 9 commenced in 2009.



Planning Comments

The Township of Collingwood Zoning By-law 83-40 zones the subject property as Residential (R5-108) through amending By-law 1993-32. Permitted uses within the Residential (R5-108) Zone include horizontally attached residential units; and uses, buildings and structures accessory to the dwelling. Exception 108 specifically limits the subject lands to a maximum of 28 dwelling units.

The Draft Plan of Condominium does not contain all setbacks for all buildings, but there are apparent zoning compliance issues with the setbacks from the condominium phasing lines. The proponent has submitted a minor variance application to request relief from these setbacks. Minor Variance Application No. A05-2009 was granted on the 22nd day of April, 2009 to permit the building pod, containing units 16 to 18, to be located a minimum distance of 3.29 metres from the interior side lot line and 4.2 metres from the rear lot line; to permit the building pod, containing units 10 to 12, to be located a minimum distance of 1.6 metres from the interior side lot line; to permit the building pod, containing units 7 to 9, to be located a minimum distance of 1.6 metres from the interior side lot line; to permit the building pod, containing units 1 to 3, to be located a minimum distance of 1.95 metres from the interior side lot line; and to permit the building pod, containing units 19 to 21, to be located a minimum distance of 0.6 metres from the interior side lot line. Planning Staff recommend that as a condition of approval to the condominium proposal that the decision of the Committee of Adjustment that granted Minor Variance Application A05-2009 be final and binding, as the decision can be appealed until the 12th day of May, 2009.

The proposed Plan of Condominium appears to be consistent with the Site Plan Approval which later followed by the accepted for construction drawings stamped the 10th of July, 2008. The Development Agreement was executed on the 30th day of October, 2008, for the development contained provisions for the registration of the twenty-seven units under a Plan of Condominium. Therefore, a Condominium Agreement is not necessary as a condition of approval.

It should be noted that a Supplementary Development Agreement will be required for the subsequent phases, being Phase 2 and 3 each containing nine units.

It is Planning Staff's opinion that an Amendment to the Development Agreement would be required to identify in a separate schedule the phasing of the development, as the site plan does not identify how the order of development will occur and needs to be consistent with the draft plan submitted to the County.

Based on the foregoing, Planning Staff would conditionally support the granting of Draft Plan of Condominium Approval and support the Condominium Exemption request to the County of Grey.

C. The Blue Mountains' Strategic Plan

The recommendation in this Planning Staff Report PL.09.48 is consistent and supports the following Strategic Plans Goals:

- "1. Managing growth to ensure the ongoing health and prosperity of the community".*

D. Environmental Impact

The proposal does not appear to generate any special or significant environmental impacts.

E. Budget Impact

N/A

F. Attached

1. Draft Plan of Condominium, County of Grey File No. 42-CDM-2009-01
2. Planning Staff Report PL.06.156
3. Committee of Adjustment Decision A05-2009

Respectfully submitted,

Bryan Pearce, HBA, CPT
Planner I
26 Bridge Street, PO Box 310
Thornbury, ON N0H 2P0
Phone: 519-599-3131 ext.269
Fax: 519-599-3018
bp Pearce@thebluemountains.ca

David Finbow
Director of Planning & Building Services Department
26 Bridge Street, PO Box 310
Thornbury, ON N0H 2P0
Phone: 519-599-3131 ext.246
Fax: 519-599-6032
dfinbow@thebluemountains.ca

/bp

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DRAFT PLAN OF PHASED CONDOMINIUM

**PART OF LOT 18
CONCESSIONS 1 AND 2
TOWN OF THE BLUE MOUNTAINS
COUNTY OF GREY**

SCALE 1:400
(CONDO EXEMPTION)
42-CM-2009-01

METRIC
DIMENSIONS ON THIS PLAN ARE IN METERS AND CM.
BE CONVERTED TO FEET BY DIVIDING BY 0.3048

2007
ZHEB, PATTEN & THOMSEN LTD.

ADDITIONAL INFORMATION REQUIRED UNDER
SECTION 5 (1) OF THE PLANNING ACT

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SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARIES OF THE
LANDS OF THE ADJACENT LANDS AND THEIR RELATIONSHIP
TO THE ADJACENT LANDS ARE ACCURATELY SHOWN
ON THIS PLAN

MARCH 9, 2009
D.L.S.
DANIEL LAND SURVEYOR

OWNERS CERTIFICATE

WILLIAM CHECK AT BLUE MOUNTAINS AUTHORITY
TO THE GREY COUNTY PLANNING DEPARTMENT

MARCH 9, 2009
PER
SARAS CHATTA
AUTHORITY AND OFFICE

ATTACHMENT #1

PATTEN & THOMSEN SURVEYORS

ONTARIO, 190
190 COLLEGE STREET, SUITE 100
TORONTO, ONTARIO M5G 1B7
PHONE: (416) 445-5866
FAX: (416) 445-5866
WWW.PATTENANDTHOMSEN.COM



NOTES:

1. UNITS 1-100 ARE SHOWN AS SHOWN
2. UNITS 101-200 ARE SHOWN AS SHOWN
3. UNITS 201-300 ARE SHOWN AS SHOWN
4. UNITS 301-400 ARE SHOWN AS SHOWN
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SITE INFORMATION

TOTAL RESIDENTIAL UNITS: 27
TOTAL NUMBER BEHINDS: 108

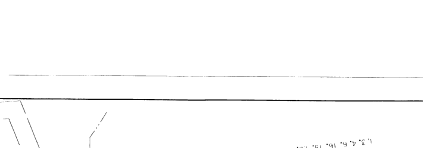
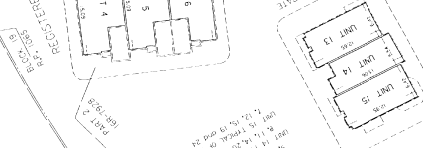
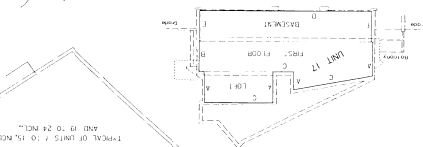
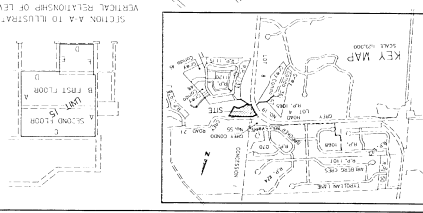
PHASE 1
AREA 66-150M²
DWELLING UNITS: 9

PHASE 2
AREA 66-150M²
DWELLING UNITS: 9

PHASE 3
AREA 66-150M²
DWELLING UNITS: 9

CONCESSION

MONTEPERRA GOLF COURSE



STAFF REPORT:

Town of The Blue Mountains Planning Department

ATTACHMENT #2



REPORT TO: Mayor and Town Council

MEETING DATE: December 18, 2006

REPORT NO.: PL.06.156

SUBJECT: Application for Site Plan Approval

Willow Creek at Blue Inc.

Part Lot 18 Concessions 1 and 2

Parts 1 and 2 RP 16R-8686

Town of The Blue Mountains

PREPARED BY: Shawn Postma,
- Planner II

Robert Armstrong,
- Manager of Development Planning and IS

A. Recommendations

THAT Council receive Planning Staff Report PL.06.156, and

THAT Council grant Site Plan Approval for the construction of a 28 unit multi-residential development on Part Lot 18 Concession 1 and 2, conditional upon the following:

1. Final drawings stamped "Accepted for Construction" by the Town of The Blue Mountains Engineer.
2. That Council authorize the Mayor and Clerk to execute a Site Plan Agreement as noted in Report PL.06.156.

B. Background

B1. Purpose

Willow Creek at Blue Inc has applied to the Town of The Blue Mountains for Site Plan Approval for a new 28 unit multi residential condominium development.

The subject property is located on the south-east corner of Grey County Road 19 and Monterra Road. Access to the property is off of Monterra Road approximately 40 metres east of Brooker Boulevard. (see attached) Surrounding land uses include single detached residential to the North, and the Monterra Golf Course to the east, south and west. The Willow Creek watercourse borders the southern lot line.

B2. Comments

The proposed Site Plan provides parking for 1 vehicle in the garage, and 1 vehicle in the driveway. The Plan also provides an additional 12 visitor parking

spaces spread throughout the development. Public walkways will be provided in the form of a Road Widening along Monterra Road and Grey Road 19. The new public walkway to be constructed by the developer will connect the entrance to this development to Grey Road 19, as well as providing an off-road trail link along Grey Road 19. The trail is to continue along Monterra Road to the end of the Development, but at this time the area is too steep to accommodate a trail. In lieu of this trail segment, the developer will be contributing funds through the Site Plan Agreement to cover the cost of the trail construction at such time as when Monterra Road is reconstructed. Recreational Facilities have also been provided on site consisting of a 75 sq m (800 sq ft) swimming pool.

The Lands are part of the overall Westbrook Development Lands which were all considered for development and conceptually approved through a Master Development Agreement and Servicing Agreement in May 2000. The Master Development Agreement provides for the total development of 630 units plus provisions for; among other things a regional public park, pedestrian trails, and additional cash-in-lieu for parkland calculated at \$357.47 per unit.

The lands are designated Primary Residential PR-28 allowing for a higher density residential development, with exception 28 limiting the total development on all related lands to 713 units. The Township of Collingwood Zoning By-law, zoned the property Residential R5-108 through By-law amendment (1993-32). The Residential R5 zone permits horizontally attached residential units, while exception 108 specifically limits the subject lands to a maximum of 28 dwelling units.

Planning Staff have reviewed the proposed development for Official Plan and Zoning compliance and note that the proposal appears to conform with the requirements of the Primary Residential OP designation and Residential R5 zone. Further, the proposal maintains the requirements of the overall Master Development Agreement.

Development Charges and Parkland Dedication are to be collected at the time of execution of the Site Plan Agreement.

The Town has further reviewed the drawings and reports submitted through the Development Review Committee. The Committee is satisfied with the proposed plan and works, however have noted that some minor technical changes to the drawings must be made prior to the Town Engineer stamping the drawings as Accepted for Construction.

B3. Conclusion

Based on the foregoing, it is the opinion of Planning Staff that the proposed Site Plan is appropriate for the lands. The modifications to be made to the drawings are minor in nature, and will not change the overall development. We therefore recommend that Council grant Site Plan Approval conditional upon the final

acceptance of the drawings by the Town Engineer and the execution of the Site Plan Agreement.

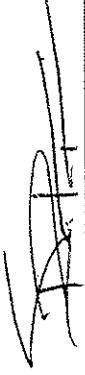
C. Budget Impact

NIL

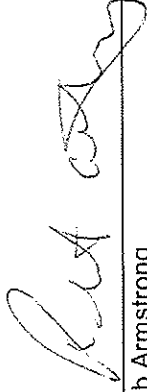
D. Attached

1. Site Plan – Willow Creek at Blue

Respectfully submitted,



Shawn Postma.



Rob Armstrong

A05-2009

Willow Creek At Blue Inc.
c/o Samer Chaaya, President



**TOWN OF THE BLUE MOUNTAINS
COMMITTEE OF ADJUSTMENT
DECISION**

- SCHEDULE A -

CONDITIONS:

Nil

REASON FOR DECISION:

The Committee is satisfied that the application meets the four tests for minor variance, as noted in the Planning Staff Report PL.09.41.