A. Recommendations

THAT Council receive Staff Report PDS.19.82, entitled “Planning Recommendation Report - Zoning By-law Amendment for Bed and Breakfast (Part Lot 13, Concession 4)”;  

AND THAT Council enact a Zoning By-law Amendment to include a Bed and Breakfast Establishment up to three (3) bedrooms as an additional permitted use for the lands, subject to a holding ‘h’ provision, and to re-zone a portion of the lands to the Hazard ‘H’ zone to reflect existing flood prone areas.

B. Overview

The purpose of this report is to provide a summary of the comments received as a result of the public meeting held on April 29, 2019, and to provide recommendations to Council with respect to the proposal.

C. Background

The applicant proposes to establish a Bed and Breakfast as an additional permitted use of the subject lands, legally described as Part Lot 13, Concession 4. The single detached dwelling to be utilized for the proposed use has not yet been constructed and the applicant is seeking preliminary zoning approval prior to preparing and submitting detailed construction drawings as part of a future building permit application. Further Town approvals and processes will ensure continued conformity with the Official Plan and Zoning By-law with respect to residency and occupancy.

The application has been subject to a Public Meeting which was held on April 29, 2019. Preliminary information and a planning policy review was provided to Council at the public meeting through Staff Report PDS.19.53 (see Attachment #1).
Public Meeting  

**Agency Comments:** The following public agencies provided comments generally indicating no concerns with the application:

- The Grey Sauble Conservation Authority – provided that the hazard land portions of the property are appropriately zoned through this amendment;
- Niagara Escarpment Commission – the subject lands are not within the Niagara Escarpment Plan area;
- County of Grey – provided that positive comments are received from the Conservation Authority;
- Town of The Blue Mountains Building Services Division – building permit will be required;
- Town of The Blue Mountains Infrastructure and Public Works Department

No comments were received from any public agencies in opposition to the application. No comments were received from the public as a result of circulation of the Notice of Public Meeting.

The Town of The Blue Mountains Building Services Division inquired about the ability for an accessory apartment to be established on the lands if approved for the Bed and Breakfast use. As a matter of clarification, the zoning by-law allows for an accessory apartment to be established on the same lot as a Bed and Breakfast use, however, any additional dwelling unit would not be permitted for any form of short term accommodation use, including the Bed and Breakfast. It is important to note that an accessory apartment unit is not proposed for the subject lands.

**D. Analysis**

The Public Meeting information report (Attachment 1) outlined the Planning Act, Provincial Policy Statement, Official Plan, and Zoning By-law policies that apply to this application. Planning Staff did not identify any particular policy concerns at that time. The zoning by-law amendment is supported by the Town’s Official Plan policies, which permit Bed and Breakfast Establishments on residential properties, subject to a site specific zoning by-law amendment. As a result of the Public Meeting, no issues or concerns have been raised. Through subsequent site visits by the Grey Sauble Conservation Authority, a suitable building envelope for the proposed single detached dwelling has been determined and no concerns have been raised with respect to impact on the significant woodlands on the property. It has been further recommended by the Conservation Authority that a portion of the lands which are prone to flooding be re-zoned to the Hazard zone. This recommendation has been incorporated into the proposed Zoning By-law Amendment. Planning Staff have not identified any additional planning matters to be addressed at this time.

A draft Zoning By-law Amendment is attached to this report (Attachment 2). The proposed zoning change would rezone the subject lands from the Rural zone to the Rural Exception 9 holding 34 zone, and the Hazard zone. Exception 9 is a standardized Bed and Breakfast zone.
exception which has been applied to multiple properties. The holding 34 provision is proposed to be applied to the property in order to further satisfy Council that the Bed and Breakfast use may not operate until such a time that the dwelling is the applicant’s primary residence. The conditions for lifting the holding ‘h’ symbol are recommended to include that:

The subject lands may not be used for Bed and Breakfast purposes until such a time that:

I. Confirmation of the Owner’s primary residence is provided, to the satisfaction of the Town of The Blue Mountains.

In this particular case, the subject lands are located within an area of the municipality which is generally rural in character. The property is approximately 6.13ha in area and contains significant woodlands providing for substantial buffering and screening for the future detached dwelling. Further, the location of the proposed building envelope is provided significant setbacks from the public right of way and adjacent properties. The size of the proposed building envelope is adequate to accommodate the additional three parking spaces required for the Bed and Breakfast use and additional landscaping is not required.

All matters pertaining to site development, as defined by Section 41 of the Planning Act, are adequately addressed by the zoning by-law, existing site conditions, and the identification of an appropriate building envelope by the Grey Sauble Conservation Authority. As such, Site Plan Approval is not recommended for this application.

Conclusions

Staff are satisfied that the proposal complies with the applicable planning policies and that the current By-law enforcement mechanisms are sufficient to ensure that the lands are utilized in accordance with the Zoning By-law. In light of Council direction on Bed and Breakfast applications, Planning Staff recommend that the approval be subject to a Holding (-h) provision, as outlined in this report, to further satisfy Council that the use is not permitted to operate until such a time that it is demonstrated that the future dwelling is the applicant’s primary residence. Staff have no further concern with the application and are able to recommend approval of this zoning by-law amendment as drafted in Attachment 2 to this report.

E. The Blue Mountains Strategic Plan

Goal #1: Create Opportunities for Sustainability
Objective #2 Attract New Business
Objective #3 Promote a Diversified Economy
Objective #5 Improved Visibility and Local Identity

Goal #3: Support Healthy Lifestyles
Objective #3 Manage Growth and Promote Smart Growth
F. **Environmental Impacts**

No adverse environmental impacts are anticipated by the approval of this application, as confirmed through comments received from the Grey Sauble Conservation Authority.

G. **Financial Impact**

No adverse financial impacts to the Municipality are anticipated by the approval of this application.

H. **In consultation with**

Commenting agencies and the general public through circulation of the Notice of Public Meeting.

I. **Public Engagement**

The topic of this Staff Report has been the subject of a Public Meeting and/or a Public Information Centre which took place on April 29, 2019. No comments were received from the general public through the public meeting process.

J. **Attached**

1. Attachment 1 – PDS.19.53 Public Meeting and Preliminary Comment Report
2. Attachment 2 – Proposed Draft Zoning By-law
3. Attachment 3 – REVISED comments from the Grey Sauble Conservation Authority (May 21, 2019)

Respectfully submitted,

__________________________
Travis Sandberg
Travis Sandberg
Planner I

__________________________
Nathan Westendorp, RPP, MCIP
Director of Planning and Development Services
For more information, please contact:
Travis Sandberg, Planner I
planning@thebluemountains.ca
519-599-3131 extension 283
A. Recommendations

THAT Council receive Staff Report PDS.19.53, entitled “Public Meeting and Preliminary Comment Report –Re-Zoning - Bed and Breakfast (12th Concession)” for information purposes only.

B. Overview

This report provides an overview of the application and a preliminary review of the applicable planning policies affecting the lands. Following the public meeting, staff will review all comments received and any additional issues/concerns that are raised. This review will be included in a final recommendation report which will be brought to a future Committee of the Whole meeting for Council decision.

C. Background

Proposal

The property owners have submitted a zoning by-law amendment application to Planning Services in order to include a Bed and Breakfast as an additional permitted use of the lands located at Part Lot 13, Concession 4. The owners are in the process of designing a single detached dwelling to be constructed on the subject lands, which is intended to be their primary residence, and have indicated their desire to operate a Bed and Breakfast as a home-based business.

The current proposal is to construct three (3) additional guest bedrooms within the future single detached dwelling to be utilized for the Bed and Breakfast use. A Short Term Accommodation use, as defined by the zoning by-law, is not proposed on the property. Following the public and agency review process, a thorough analysis and staff recommendation will be provided through a future Staff Recommendation Report.
Location and Site Details

**Municipal Address:** None (lands are currently vacant)

**Legal Description:** Part Lot 14, Concession 4, Town of The Blue Mountains

**Town File Number:** P2725

**County of Grey Official Plan Designation:** Rural

**Municipal Official Plan Designation:** Rural

**Zoning:** Rural (Zoning By-law 2018-65); Rural Estate Residential (RER-c per Zoning By-law 83-40)

**Water Services:** Private (Proposed)

**Wastewater Services:** Private (Proposed)

**Regulated Area:** No identified Regulated Areas on the Property

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**Figure 1:** Location Key Map

**Figure 2:** Official Plan, 2016

**Figure 3:** Zoning By-law 2018-65

**Figure 4:** Aerial Photo
The property is located on the north side of the 12th Sideroad, in between the 3rd Line and 4th Line, and is in close proximity to the Castle Glen Secondary Plan area. Surrounding land uses are predominantly rural uses.

**Received Application**

Bed and Breakfast proposals require a rezoning application and a site plan approval application. The Town has received the required rezoning application and a proposed site sketch showing the proposed location of the future dwelling, associated parking spaces, and future driveway has been provided. A Site Plan application will be required should the rezoning application be approved by Council.

**Planning Policy Review**

**Planning Act**

The Ontario Planning Act provides municipal Council with the authority to pass zoning by-laws, and amendments to existing zoning by-laws, under Section 34 of the Act. The Planning Act also requires that in making planning decisions Council must have regard for matters of Provincial Interest, as outlined by Section 2 of the Act and the Provincial Policy Statement. Council must also have regard for the policies of the Official Plan which apply to the lands.

Based on a preliminary review, there does not appear to be significant issues/concerns with respect to the provisions of the Planning Act.

**Provincial Policy Statement (PPS 2014)**

The Provincial Policy Statement provides more detailed policy direction on matters of provincial interests related to land use planning and development. Within the framework of the PPS, the subject lands are located within a rural area. The PPS permits limited residential development and home occupations/industries within rural areas and also promotes recreational, tourism, and other economic opportunities.

Based on a preliminary review, there does not appear to be significant issues/concerns with respect to the Provincial Policy Statement (2014).

**County of Grey Official Plan**

The Grey County Official Plan designates the subject lands as ‘Rural’. This designation applies to lands which are predominantly intended for agricultural and forestry uses. In addition to protecting farming operations in the area, the rural designation also permits resource based recreational uses and other appropriate and compatible land uses, including low-density non-farm residential uses.

Based on a preliminary review, there does not appear to be significant issues/concerns with respect to the County of Grey Official Plan.
Town of The Blue Mountains Official Plan

The Town of The Blue Mountains Official Plan designates the subject lands as “Rural”. The intent of the Rural designation is to protect the rural character of the Town, prevent the intrusion of incompatible land uses into the rural area, protect land suitable for agricultural uses from development, encourage a range of land uses which provide an economic benefit to the Town, to support on-farm diversified uses including eco-tourism, promote the agricultural industry, provide for the development of new recreational uses compatible with the rural area, and to ensure that the scale of any development is compatible with the rural character. Permitted uses within the Rural designation include bed and breakfast establishments, subject to Section B2.5.1 of the Official Plan.

Section B2.5.1 requires Council consideration and approval of a site specific zoning by-law to permit the bed and breakfast use, requires that the use is not detrimental to any adjacent uses, and that the proprietor be present during any rentals. It has been submitted that the future dwelling is intended to become the applicant’s primary residence, once constructed. Through cursory review of the submitted site plan, it appears that substantial setbacks and adequate parking can be provided within the property limits and that the majority of the site is covered in mature tree stands.

Based on a preliminary review, there does not appear to be significant issues/concerns with respect to the Town of The Blue Mountains Official Plan, subject to confirming implementation of the requirements of B2.5.1 through the re-zoning and site plan review process.

Zoning By-law 2018-65

The Town of The Blue Mountains Zoning By-law 2018-65 zones the subject lands Rural. Single detached dwellings and accessory uses or structures thereto are permitted within the Rural zone. The Zoning By-law permits bed and breakfast establishments within a single detached dwelling subject to a site specific zoning by-law amendment, only where permitted in accordance with the Official Plan. Through the re-zoning process, a Bed and Breakfast establishment would be included as an additional permitted accessory use of the lands and the predominant use of the property remains for the primary permitted uses outlined by the By-law.

Based on a preliminary review, there does not appear to be significant issues/concerns with respect to Zoning By-law, provided that the requirements of Section B2.5.1 of the Official Plan can be satisfied through the re-zoning and site plan review process.

Planning Services Comments

Subject to further comments and review, Planning Services have no concerns/objections with the proposal provided that the site plan process ensures that the requirements of Section B2.5.1 of the Official Plan are adequately addressed. Furthermore, the Site Plan Agreement is anticipated to require the landowner to be present during any rental periods. Proposed changes to municipal licensing programs may also allow for resident presence to be confirmed in the future.
D. Analysis

The intent of this report is to provide an overview of the proposal and to provide a preliminary review of the applicable planning policy only to highlight matters that may require resolution. Following the public meeting, staff will review all comments received and any additional issues/concerns that are raised. This review will be included in a final recommendation report which will be brought to a future Committee of the Whole meeting for Council decision.

E. The Blue Mountains Strategic Plan

A review of the impact of the application on the Blue Mountains Strategic Plan will be provided in a Staff Recommendation Report.

F. Environmental Impacts

A review of the potential for environmental impacts of the application will be provided in a Staff Recommendation Report.

G. Financial Impact

A review of the financial impact of the application will be provided in a Staff Recommendation Report.

H. In consultation with

Comments have been requested from the public, municipal departments, and public agencies through circulation of the Notice of Public Meeting.

I. Public Engagement

The topic of this Staff Report is the subject of a Public Meeting taking place on April 29, 2019. Comments received at the Public Meeting and through the public process will be included in a future Staff Recommendation Report. Anyone who has provided written or verbal comments, or who has asked to receive notice regarding this matter, will be provided notice of the future Staff Report.

J. Attached

1. Notice of Public Meeting
2. Site Plan Sketch
3. Planning Policy Review
Respectfully submitted,

Travis Sandberg  
Planner 1  

Nathan Westendorp  
Director of Planning and Development Services  

For more information, please contact:  
Travis Sandberg  
planning@thebluemountains.ca  
519-599-3131 extension 283
Notice of Public Meeting

Application for Zoning Amendment

Property Location: Part Lot 13, Concession 4 (12th Sideroad)

Public Meeting: April 29, 2019 at 5:00 PM
Town Hall, Council Chambers
32 Mill Street, Thornbury, ON

What is being proposed?

The applicant would like to include a Bed and Breakfast establishment as an additional permitted use of the property. The Bed & Breakfast will be owner-operated by the applicant.

This application for zoning amendment is seeking approval to add a "Bed & Breakfast Establishment" use to the existing residential zone applied to the property. A Bed & Breakfast is defined in the Zoning By-law as a dwelling that offers up to three (3) guest rooms, where the dwelling is also the primary residence of the proprietor.

Please note that should this application be approved, it would not permit Short Term Accommodation (STA) uses on these lands.

The property is designated Rural in the Town of The Blue Mountains Official Plan.

The legal description of the subject property is S/E Part Lot 13, Concession 4, Parts 4 and 5, Registered Plan 16R-2555, and Part 2, Registered Plan 16R-3058, (formerly the Township of Collingwood), Town of The Blue Mountains.

What happens at a Public Meeting?

The public meeting is your chance to hear more about the proposal and make your views about it known. You may also speak at the meeting or submit written comments. Information from the public will help Council in their decision-making process, so make sure to have your say!

Any person or agency may attend the Public Meeting and/or make verbal or written comments either in support or in opposition to the proposed amendment.

Where do I find more information?

Visit us in Planning Services, Town Hall during regular office hours Monday to Friday 8:30 a.m. to 4:30 p.m. or contact the planner for this file.

Where do I submit my comments?

Your written comments may be sent to the Town Clerk, Corrina Giles:
By Mail or in Person:
32 Mill St. Box 310,
Thornbury ON, N0H 2P0
Fax: (519) 599-7723
Email: townclerk@thebluemountains.ca

Written comments are requested by April 26, 2019 so that they may be read at the public meeting for the benefit of everyone in attendance.

When will a decision be made?

A decision on this proposal has NOT been made at this point and will NOT be made at the Public Meeting.

After reviewing the application and any comments received, Town staff will bring a recommendation on this project to a future council meeting.

Want to be notified of a decision?

You must make a request in writing if you wish to receive a notice of any decision of Council on this proposal.

Your rights to appeal a decision:

If a person or public body does not make oral submissions at a public meeting or make written submissions to Town of The Blue Mountains before the by-law is passed, the person or public body is not entitled to appeal the decision of Council to the Local Planning Appeal Tribunal.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to Town of The Blue Mountains before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Questions? Want more information? Ask the Planner!
Travis Sandberg, Planner I
Phone: (519) 599-3131 ext. 283 or Toll Free (888) 258-6867 Email: planning@thebluemountains.ca
A Note about information you may submit to the Town:

Under the authority of the Municipal Act, 2001 and in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), all information provided for, or at a Public Meeting, Public Consultation, or other Public Process are considered part of the public record, including resident deputations. This information may be posted on the Town’s website, and/or made available to the public upon request.

This document can be made available in other accessible formats as soon as practicable upon request.
Bed and Breakfast
Jake Lawson and Emily Jeffery
Part Lot 13, Concession 4
Geographic Township of Collingwood
Town of the Blue Mountains

Ron Davidson
Land Use Planning Consultant Inc.
Owen Sound, Ontario
Scale: 1:1500
**Provincial Policy Statement (2014)**

The Provincial Policy Statement (PPS) provides more detailed policy direction on matters of provincial interests related to land use planning and development. The PPS provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. Within the framework of the PPS, the subject lands are located within a rural area. The proposal has been reviewed in the context of the PPS policies and a summary of the most pertinent policies is included below:

**Section 1.0 Building Strong and Healthy Communities**

Section 1.0 of the PPS directs that Ontario’s long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns. These factors support and contribute to sustainability by promoting strong, livable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth. Within the framework of the PPS, the subject lands are within a Rural Area. A summary of the most pertinent Rural Area policies are included below.

1.1.4.1 Healthy, integrated and viable rural areas should be supported by:

- a) Building upon rural character, and leveraging rural amenities and assets;
- b) Promoting regeneration, including redevelopment of brownfield sites;
- c) Accommodating an appropriate range and mix of housing in rural settlement areas;
- d) Encouraging the conservation and redevelopment of existing rural housing stock on rural lands;
- e) Using rural infrastructure and public service facilities efficiently;
- f) Promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management of resources;
- g) Providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;
- h) Conserving biodiversity and considering the ecological benefits provided by nature; and
- i) Providing opportunities for economic activities in prime-agricultural areas...

1.1.4.2 In rural areas, rural settlement areas shall be the focus of growth and development and their vitality and regeneration shall be promoted.

1.1.4.4 Growth and development may be directed to rural lands in accordance with policy 1.1.5, including where a municipality does not have a settlement area.
1.1.5.1 When directing development on rural lands, a planning authority shall apply the relevant policies of Section 1: Building Strong Healthy communities, as well as the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.

1.1.5.2 On rural lands located in municipalities, permitted uses are:
   
a) The management or use of resources;
   b) Resource-based recreational uses (including recreational dwellings);
   c) Limited residential development;
   d) Home occupations and home industries;
   e) Cemeteries; and
   f) Other rural land uses.

1.1.5.3 Recreational, tourism and other economic opportunities should be promoted.

1.1.5.4 Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.

1.1.5.5 Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for unjustified and/or uneconomical expansion of this infrastructure.

1.1.5.7 Opportunities to support a diversified rural economy should be promoted by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.

1.1.5.9 New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.

The application proposes to include a home occupation as an accessory use to an existing rural lot of record. As such, based on preliminary review there does not appear to be any significant issues/concerns with respect to Section 1.0 of the PPS.

Section 2.0 Wise Use and Management of Resources

Section 2.0 of the PPS directs that Ontario’s long-term prosperity, environmental health, and social well-being depend on conserving biodiversity, protecting the heal of the Great Lakes, and protecting natural heritage, water, agricultural, mineral and cultural heritage and archaeological resources for their economic, environmental and social benefits.

There does not appear to be any special constraints, significant woodlands, or significant natural heritage features in proximity to the proposed building location. As such, based on preliminary review there does not appear to be any significant issues/concerns with respect to Section 2.0 of the PPS.
Section 3.0 Protecting Public Health and Safety

Section 3.0 of the PPS directs that Ontario’s long-term prosperity, environmental health, and social well-being depend on reducing the potential for public cost or risk to Ontario’s residents from natural or man-made hazards. Section 3.0 generally directs development away from areas of natural or man-made hazards where there is an unacceptable risk to public health or safety or of property damage, and should not create new or aggravate existing hazards.

The application does not propose development within identified hazard lands or areas otherwise identified as having special natural heritage constraints. As such, based on preliminary review there does not appear to be any significant issues/concerns with respect to Section 3.0 of the PPS.

County of Grey Official Plan

The County of Grey Official Plan designates the subject lands as Rural. The pre-dominant land use within the designation shall be agricultural and forestry. The designation protects existing farming operations and the visual appearance of the rural landscape, while permitting consideration of resource based recreational uses and other appropriate rural land uses.

Section 2.3.2(1) of the Official Plan lists the following as permitted uses within the rural designation:

- Agricultural uses;
- Forestry and conservation uses;
- Low-density non-farm residential uses;
- Garden suites;
- Small scale commercial and industrial uses;
- Institutional and resource based recreational uses;
- Sand and/or gravel operations within identified Aggregate Resource Areas; and
- Wayside pits and quarries.

All non-farm land uses within the Rural designation must satisfy the requirements of Section 2.3.3 of the Official Plan, which includes:

a) Development on improved agricultural lands shall be discouraged;
b) The location of the non-farm land use imposes no operating constraints to an existing farm. An adequate separation distance shall be maintained between the non-farm use and existing livestock uses. New land uses shall comply with the Minimum Separation Distance Formulae;
c) If municipal services are not available, evidence of the site’s suitability to provide an adequate potable water source and an adequate sanitary sewage disposal system;
d) That adequate drainage and outlets are available for stormwater runoff;
e) That access is provided from a public highway of reasonable construction and open and maintained on a year-round basis. Access must not result in traffic hazards due to poor sight lines or proximity to an intersection and must conform to Section 5, Transportation and Utilities;

The application proposes to include a home occupation as an accessory use to an existing rural lot of record. The lands have not been improved for agricultural purposes and a minimum distance separation analysis has been submitted by the applicant. Based on preliminary review, there does not appear to be any significant issues/concerns with respect to County of Grey Official Plan.

**Town of Blue Mountains Official Plan 2016**

The Town of The Blue Mountains Official Plan designates the subject lands as “Rural”. As per Section B4.4 of the Plan, the general intent of the Rural designations is to:

- Protect the rural character of the Town and the maintenance of those elements which contribute to the open space character of the countryside;
- Prevent intrusion of land uses which are incompatible with the rural character and/or resource activities of the area;
- Protect land suitable for agricultural production from development and land uses unrelated to agriculture;
- Encourage a range of land uses which provide an economic benefit to the Town and to support appropriate on-farm diversified uses including eco-tourism;
- Promote the agricultural industry and associated activities and enhance their capacity to contribute to the economy of the Town;
- Provide for the development of recreational uses which are compatible with the rural and agricultural character of the Town;
- Ensure that new recreational uses will not have an impact on the environmental and hydrogeological resources of the Town; and
- Ensure that the scale of development is compatible with the role and function of the rural area.

As per Section B4.4.4.1 of the Plan, for any non-farm land use to be permitted within the Rural designation, all of the following must be satisfied:

- That development on improved agricultural land shall be discouraged...;
- If municipal services are not available... evidence of the site’s suitability to provide an adequate quality and quantity of water supply and that the site can accommodate an approved sanitary sewage disposal system...;
- That adequate drainage and outlets are available for stormwater runoff...;
- That access to the site is from a public highway of reasonable construction and open and maintained on a year round basis and is appropriate for the use proposed...;
Section B2.5.1 of the Official Plan provides policy requirements for establishing a bed and breakfast use within an existing single detached residential dwelling, where permitted by the applicable land use designation. The requirements include:

- An amendment to the implementing Zoning By-law will be required to permit the use;
- Bed and breakfast uses should not be permitted unless the owner of the dwelling resides in the dwelling while the dwelling is operating;
- That the use of the single detached residential dwelling for a bed and breakfast use shall not be detrimental to any adjacent use. Where necessary, neighbouring uses will be protected by the provision of areas for landscaping, buffering or screening, of buildings, structures or uses, so as to reduce any detrimental affect caused by the use of the dwelling as a bed and breakfast establishment;
- That adequate parking facilities over and above the parking requirement for single detached residential dwellings are available which shall be a minimum of one additional parking space per guest room; and
- That bed and breakfast uses may be subject to site plan control.

Based on preliminary review there does not appear to be any significant issues/concerns with respect to the Town of The Blue Mountains Official Plan, provided that the above requirements can be satisfied through the re-zoning and site plan review processes.

**Zoning By-law 2018-65**

Zoning By-law 2018-65 defines a Bed and Breakfast as “... a dwelling that operates or offers no more than three guest rooms as a places of temporary residence, lodging or occupancy by way of concession, permit, lease, license, rental agreement or similar commercial arrangement throughout all or any part of a calendar year and that is the principle residence of the establishment’s proprietor. Bed and Breakfast establishment shall not mean or include motel, hotel, short term accommodation, tourist cabin or cottage, hospital or similar commercial or institutional uses”.

Section 4.8 of the By-law further provides that bed and breakfast establishments shall only be permitted in a single detached dwelling and through an amendment to the Zoning By-law in accordance with the Town’s Official Plan.

The application proposes to add a Bed and Breakfast use to the permitted uses for the existing single detached dwelling. Based on preliminary review there does not appear to be any significant issues/concerns with respect to Zoning By-law 2018-65, provided that the requirements of Section B3.1.5.2 of the Official Plan can be satisfied through the re-zoning and site plan review process.
The Corporation of the Town of The Blue Mountains

By-Law Number 2019 –

Being a By-law to amend Zoning By-law No. 2018-65 which may be cited as "The Blue Mountains 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. 2018-65;

And Whereas pursuant to the provisions of Section 34 of the Planning Act, R.S.O. 1990, c. P.13, the by-law may be amended by Council of the Municipality;

Now Therefore Council of The Corporation of the Town of The Blue Mountains hereby enacts as follows:

1. Schedule ‘A’ of The Blue Mountains Zoning By-law 2018-65 is amended by rezoning those lands known as Concession 4, South East Part Lot 13, Registered Plan 16R-2555, Parts 4 and 5, and Registered Plan 16R-3058, Part 2, in the Town of The Blue Mountains, from Rural (RU) to the RU Exception 9 Holding 34 (RU-9-h34) Zone, and Hazard ‘H’ Zone, as shown on the key map Schedule “A-1”;

2. The holding ‘h’ provision for the Bed and Breakfast use may be lifted at such a time that:
   1. Confirmation of the Owner’s primary residence is provided, to the satisfaction of the Town of The Blue Mountains; and
   3. That Schedule ‘A-1’ is 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 15th day of July, 2019.

________________________________________
Alar Soever, Mayor

________________________________________
Corrina Giles, Clerk

I hereby certify that the foregoing is a true copy of By-law No. 2019-____ as enacted by the Council of The Corporation of the Town of The Blue Mountains on the 15th day of July, 2019.

Dated at the Town of The Blue Mountains, this 15th day of July, 2019.

________________________________________
Corrina Giles, Clerk
Town of The Blue Mountains
Schedule 'A-1'

By-Law No._________

Legend

- Subject Lands of this Amendment
- Area to be rezoned from RU to H
- Area to be rezoned from RU to RU-9-h34
May 21, 2019

Ms. Corrina Giles, Town Clerk
Town of The Blue Mountains
32 Mill Street, P.O. Box 310
Thornbury ON
N0H 2P0

Dear Ms. Giles:

RE: Zoning Application P2725
Applicant: Ron Davidson
Ron Davidson Land Use Planning Consultant Inc.
Part Lots 13 Concession 4;
Town of the Blue Mountains, formerly Collingwood Township
Our File: P19115 Roll No: 42-42-000

This is further to our comments on April 26, 2019 concerning the proposed zoning By-law amendment. We have met with the proponent and his representatives to discuss the flooding issues on site and provide the following updated comments.

Subject Proposal
The subject proposal is to re-zone the property add a Bed and Breakfast establishment to the permitted uses for the property.

Recommendations/Additional Comments
We recommend that the proposed dwelling location be shifted to the east as per the recommended building envelope outlined on the attached map. We also recommend that the Hazard area as shown on the attached map be zoned hazard in the proposed zoning By-law amendment to reflect existing flood prone areas of the property.

The proposed building/septic system envelope is mapped within the proposed Significant Woodland in the new Official Plan Amendment. However, this area is outside the estimated hazard...
and flood area and includes a number of Aspen trees that are affected by *Hypoxylon Canker* (*Hypoxylon mummatum*) and are in poor health. It is our opinion that building in this area would not pose significant negative impacts to the existing and proposed significant woodland in the area. The area of the proposed building envelope could be removed from the new significant woodland area.

**GSCA Regulations**

Based on our site inspections and observations on the property, we have updated regulation mapping for the property to include the flood prone areas of the property. A permit is required from our office prior to site alterations within the mapped regulation areas. Under Ontario Regulation 151/06: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses.

**Provincial Policy Statement (2014)**

**3.1 Natural Hazards**

Natural Hazard areas are approximately outlined on the enclosed map and should be included in a hazard zone.

**2.1 Natural Heritage**

The property includes portions of mapped significant woodlands as mapped in the Grey County Official Plan. The proposed dwelling and septic system is within the mapped woodland area under the new Official Plan. The shifting of the building area to the east avoids flood prone areas and retains woodlands in the previous proposed building site while removing tree cover in poor health.

Based on the above, it is our opinion that the revised proposal would be consistent with the Provincial Policy statement with regards to Natural Heritage.

**Summary/Requirements**

Provided the natural hazard area is zoned hazard land in the proposed zoning By-law amendment, we generally have no objection to the approval of the subject application.

We recommend an engineered drainage and development plan be provided for the proposed development to ensure the proposed building, driveway and sewage treatment system are developed in an appropriate manner. Engineered fill will likely be required to ensure footings are founded on stable soils.

We request a notice of decision and notice of any appeals in this matter to be provided to our office.
If any questions should arise, please contact the undersigned.

Regards,

Andrew Sorensen
Environmental Planning Coordinator

enclosure

cc Ron Davidson, Ron Davidson Land Use Planning Consultant Inc.,
Andrea Matrosov, Authority Director, Town of the Blue Mtns.
Building Department, Town of The Blue Mountains
Jake Lawson and Emily Jeffery, Owners
Darryl Robins, DMR Engineering
Grey Sauble Conservation Authority (GSCA): Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses

(Ontario Regulation 151/06)

Zoning By-Law Amendment
Part of Lot 13, Concession 4
Town OF The Blue Mountains
File: P19115

May 21, 2019