A. Recommendations

THAT Council receive Staff Report PDS.19.81, entitled “Public Meeting Information Report – Zoning By-law Amendment for Bed and Breakfast (160 Grand Cypress Lane)” 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 owner has 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 160 Grand Cypress Lane. The Owner has recently relocated to the area on a permanent basis and would like to operate a home-based business in the form of a Bed and Breakfast. The current proposal is to utilize up to three (3) bedrooms as guest rooms within the existing single detached dwelling and the owner must be present during any rental. It is further noted that the Owner currently resides in the dwelling subject to this proposal. 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 staff recommendation will be provided to Council through a future Staff Recommendation Report.
Location and Site Details

**Municipal Address:** 160 Grand Cypress Lane

**Legal Description:** Lot 53, Plan 1078, Town of The Blue Mountains

**Town File Number:** P2740

**County of Grey Official Plan Designation:** Recreation Resort Area

**Municipal Official Plan Designation:** Residential Recreation Area

**Zoning:** Residential (R1-1)

**Water Services:** Municipal (Existing)

**Wastewater Services:** Municipal (Existing)

**Regulated Area:** The property is identified as being within an area regulated by the Grey Sauble Conservation Authority

![Figure 1: Location Key Map](image1)

![Figure 2: Official Plan, 2016](image2)

![Figure 3: Zoning By-law 2018-65](image3)

![Figure 4: Aerial Photo](image4)
The property is located at 160 Grand Cypress Lane in the general vicinity of the Blue Mountain Resorts Village area and the Monterra Golf Course. The lands are currently developed with a single detached dwelling, attached garage, and an associated driveway and surface parking area. The property also contains landscaping and mature trees which generally border the lands. Surrounding land uses are predominantly low density residential uses.

Received Applications

Bed and Breakfast proposals require a rezoning application and a site plan approval application. The Town has received both applications. It is noted that no site development, as defined by the Ontario Planning Act, is anticipated as a result of this proposal.

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 settlement area. The PPS supports a wide range and density of uses within settlement areas and acknowledges these areas as the focus for growth and development and that their vitality and regeneration shall be promoted.

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

Niagara Escarpment Plan

The lands are within the ‘Escarpment Recreation Area’ designation of the Niagara Escarpment Plan. This designation includes areas of existing or potential recreational development associated with the Escarpment. Such areas may include both seasonal and permanent residences.

Based on a preliminary review, there does not appear to be significant issues/concerns with respect to the Niagara Escarpment Plan.
Country of Grey Official Plan

The Grey County Official Plan designates the subject lands as ‘Recreation Resort Area’. This designation applies to lands which are settlement areas consisting of a defined development area, specific recreational amenities, residential development, and serviced with full municipal services (sewer and water). The goal of the Recreation Resort designation is to enhance recreation and tourism related activities.

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 “Residential Recreation Area”. The intent of this designation is to recognize areas within the Town where there is a mix of seasonal and permanent residential and recreational uses and to recognize areas where some residential uses are located to support and provide access to resort and recreational amenities.

Bed and Breakfast establishments may be permitted, subject to Section B2.5.1 of the Official Plan. The property subject to the proposed amendment is the applicant’s primary residence and is currently occupied by the applicant. Further, through review of the submitted site parking plan, it appears that adequate parking can be provided within the existing driveway/parking area well within the property limits. The property also contains adequate landscaping and vegetation to generally screen the parking area from view from the public right of way.

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.

Zoning By-law 2018-65

The Town of The Blue Mountains Zoning By-law 2018-65 zones the subject lands Residential R1-1. Bed and Breakfasts are not permitted as of right in any zone. The use may only be added through a site-specific exception to the existing R1-1 zone provisions, based on the policies of the Official Plan outlined above.

Based on a preliminary review, there does not appear to be significant issues/concerns with respect to the Zoning By-law.

Planning Services Comments

Subject to comments received at the public meeting, Planning Services has no immediate concerns/objections with respect to the proposed Bed and Breakfast establishment.
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 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

No adverse environmental impacts are anticipated as a result of this application.

G. Financial Impact

No adverse financial impacts to the municipality are anticipated as a result of this application.

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 July 3, 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. Planning Policy Review
Respectfully submitted,

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Travis Sandberg
Travis Sandberg
Planner I

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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
Notice of Public Meeting

Application for Zoning Amendment

Property Location: 160 Grand Cypress Lane

Public Meeting: July 3, 2019 at 5:00 PM
Town Hall, Council Chambers
32 Mill Street, Thornbury, ON

What is being proposed?

The applicant would like to establish a Bed & Breakfast use in the existing dwelling municipally known as 160 Grand Cypress. The Owner currently resides in the existing dwelling and would operate the Bed & Breakfast as a form of home business.

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 Residential Recreational Area in the Town of The Blue Mountains Official Plan.

The legal description of the subject property Lot 53, Plan 1078, (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 June 28, 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.
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.
**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 settlement 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 Settlement Area. A summary of the most pertinent Settlement Area policies are included below.

1.1.3.1 Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.

1.1.3.2 Land use patterns within settlement areas shall be based on:

a) densities and a mix of land uses which:

i) efficiently use land and resources;

ii) Are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;

iii) Minimize negative impacts to air quality and climate change, and promote energy efficiency;

iv) Support active transportation; are transit-supportive, where transit is planned, exists or may be developed; and

v) Are freight-supportive; and

b) A range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

The application proposes to include an additional permitted use to an existing single detached residential dwelling, contributing to a mix and range of appropriate land uses within the existing settlement area. 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.

The application does not propose any new development on the subject lands. 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 direct 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 any new development on the subject lands. 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.

Niagara Escarpment Plan

The Niagara Escarpment Plan provides for the maintenance of the Niagara Escarpment and land in its vicinity as a continuous natural environment, and to ensure that only such development occurs as is compatible with the natural environment. The subject lands are designated as Escarpment Recreation Area. As per Section 1.8.3 of the Plan, permitted uses within this designation include, but is not limited to, single detached dwellings, secondary dwelling units, ski centres and facilities, golf courses, trail activities, conservation uses, and agricultural uses.

The application proposes to include an additional permitted use within and existing single detached dwelling and does not propose any new development on the subject lands. As such, based on preliminary review there does not appear to be any significant issues/concerns with respect to the Niagara Escarpment Plan.

County of Grey Official Plan

The County of Grey Official Plan designates the subject lands as Recreation Resort Area. This designation is urban in nature and consists of a defined development area, specific recreational amenities, residential development, and is serviced with full municipal services.

Section 2.6.7(3) of the Official Plan recognizes that the Recreational Resort designation strives to enhance recreation and tourism related activities by:
a) Encouraging the maintenance and expansion of existing recreation and tourism related facilities;

b) Encouraging new land uses that will promote existing or require the establishment of new recreation and tourism facilities which diversify opportunities for all possible forms of recreation such as skiing, snowmobiling, fishing, hunting, golfing, walking, hiking, biking, equestrian and natural trail uses, water access activities, all in a manner consistent with the preservation of the natural environment as defined in Section 2.8 of the Plan;

c) Supporting the dedication/acquisition of land for long-term public benefits within the existing designation or settlement area; and

d) Supporting the creation of public-private partnerships in a fiscally responsible manner.

The application proposes to include an additional use to an existing single detached dwelling in proximity to an existing, established, recreational amenity within the municipality. The property is also afforded full municipal services. As such, 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 “Residential Recreation Area”. As per Section B3.7.1 of the Plan, the general intent of the Residential Recreation Area designation is to:

- Recognize areas within the Town where there is a mix of seasonal and permanent residential and recreational uses; and
- Recognize areas where some residential uses are located to support and provide access to resort and recreational amenities.

Bed and Breakfast Establishments are permitted in the Residential Recreation Area subject to Section B2.5.1 of the Plan. 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.

**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.