A. Recommendations

THAT Council receive Staff Report PDS.19.119, entitled “Comprehensive Zoning By-law Housekeeping Changes Recommendation Report”;

AND THAT Council enact a Zoning By-law Amendment to The Blue Mountains Zoning By-law 2018-65 so as to correct a number of housekeeping in accordance with the recommendations contained in Staff Report PDS.19.119.

B. Overview

The purpose of this report is to provide a recommendation for Zoning By-law Amendment regarding a series of housekeeping amendments to The Blue Mountains Comprehensive Zoning By-law 2018-65.

C. Background

Planning Services Staff advertised for and held a Public Meeting on July 3, 2019 to consider a Housekeeping Zoning By-law Amendment to the new Blue Mountains Comprehensive Zoning By-law 2018-65. The purpose of the public meeting was to receive comments on a number of corrections, errors and areas needing further clarification in the By-law.

Planning Staff Report PDS.19.76 was also presented on July 3rd and provided a detailed overview of all proposed modifications. The housekeeping changes are intended to clarify matters and do not shift the direction of the original Zoning By-law. It is anticipated that regular housekeeping changes will occur on a regular basis for required updates, modernization and clarification.

D. Analysis

Planning Staff has prepared a second summary table of proposed modifications based on comments received at the July 3rd Public Meeting. In total, ten comments were received by
letter or verbal presentation. A summary of the comments received, staff response and proposed modifications are attached to this report. The Summary Table is intended to be an addendum to the original Summary Table presented at the Public Meeting. The attached summary tables are intended to provide the further details of the analysis section of this report.

The Housekeeping Item to correct the Zoning category on Lots 14, 15, 16 Plan 16M-24 was previously dealt with by Council who enacted a By-law Amendment to rezone the lands from the Residential ‘R2’ Zone to the Residential ‘R1-1’ Zone. The By-law has been appealed to the Local Planning Appeals Tribunal (LPAT). Town Staff are now waiting for the outcome of that process. It is noted that the Interim Control By-law remains in effect until such time as the LPAT renders their order.

The Housekeeping Item related to increased sight triangles at County Roads as requested by the County of Grey has not been included in the proposed modifications. Staff still have concerns with the implications of the increased sight triangle dimensions particularly in the urban areas of the Town. This matter will remain under review and Staff will report back when an update is available.

The Housekeeping Item related to the Bruce Street / Marsh Street Corridor has been included in the Draft Zoning By-law Amendment. Staff has taken the approach to remove the Bruce Street / Marsh Street Corridor ‘BMC’ Zone as a specific zone category in the By-law, to rezone all ‘BMC’ Lands back to Residential ‘R1-1’ lands with an exception to recognize the location and limits of the corridor and then develop General Provisions that allow for small scale commercial uses (described as more intensive than a home occupation, and substantially less intensive than a traditional commercial use) as described in the Official Plan. Planning Staff recommend that the modifications be made as the current ‘BMC’ zone is currently overly-permissive.

The remaining Housekeeping Items are proceeding as originally considered through the Public Meeting process and further described in Staff Report PDS.19.76. Some minor changes are proposed, but do not shift from the original intent of the housekeeping changes.

Based on the foregoing, Planning Staff now recommend that the attached Draft By-law Amendment of Housekeeping items be enacted. Planning Staff will continue work on the above mentioned deferred items and will report back at a future Committee of the Whole meeting.

E. The Blue Mountains Strategic Plan

Goal #3: Support Healthy Lifestyles
Objective #3 Manage Growth and Promote Smart Growth

F. Environmental Impacts

Nil
G. Financial Impact

Nil

H. In consultation with

Nathan Westendorp, Director of Planning and Development Services
July 3, 2019 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 July 3, 2019. Those who provided comments at the Public Meeting and/or Public Information Centre, including anyone who has asked to receive notice regarding this matter, have been provided notice of this Staff Report.

J. Attached

1. Draft Housekeeping By-law Amendment
2. Summary Chart of Housekeeping Items – July 3, 2019 (from PDS.19.76)
3. Summary Chart of Housekeeping Items – September 16, 2019 (post public meeting)
4. Public Meeting Comments Received

Respectfully submitted,

_S Shawn Postma__________________
Shawn Postma, BES, MCIP, RPP
Senior Policy Planner

_N Nathan Westendorp______________
Nathan Westendorp, RPP, MCIP
Director of Planning and Development Services

For more information, please contact:
Shawn Postma, BES, MCIP, RPP
planning@thebluemountains.ca
519-599-3131 extension 248
The Corporation of the Town of The Blue Mountains

By-Law Number 2019 –

Being a By-law to insert provisions into 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 enacted By-law 2018-65 being the Comprehensive Zoning By-law for the Town of The Blue Mountains which may be cited as “The Blue Mountains Zoning By-law”;

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. That Section 4.13 to the Blue Mountains Zoning By-law 2018-65 is amended by deleting Section 4.13(m) in its entirety and renumbering the following subsections accordingly.

2. That Schedule ‘A’ to the Blue Mountains Zoning By-law 2018-65 is amended by deleting exception 23 from those lands known as Grey Condominium Corporation No. 28 (Georgian Peaks at Wensley Drive).

3. That Section 5.3.1 and Section 5.6.1 to the Blue Mountains Zoning By-law 2018-65 is amended by deleting the text ‘multi-unit residential’ and replacing with ‘multiple dwelling’.

4. That Section 4.19 to the Blue Mountains Zoning By-law 2018-65 is amended by deleting and replacing Section 4.19 as follows:

   “4.19 MODEL HOMES AND TEMPORARY SALES OFFICE

   Model homes and/or a temporary sales office shall only be permitted on lands that have received Draft Plan of Subdivision or Condominium approval for residential purposes provided that:

   a) Not more than 10% of the total number of residential units contained in the Draft Approved Plan of Subdivision are constructed as model homes to a maximum of 3 model homes;

   b) The model home is built within a lot defined by the associated Draft Approved Plan of Subdivision or Condominium; and,

   c) The model home complies with all other requirements of this Zoning By-law for the applicable type of dwelling unit.

   d) The temporary sales office is limited to a maximum period of three years and that the temporary sales office is not used for human habitation.

   e) The temporary sales office is built within a lot defined by the associated Draft Approved Plan of Subdivision or condominium;

   f) The temporary sales office shall be constructed on a lot in accordance with following required minimum yards: - Front yard - 6.0 metres - Exterior side yard - 6.0 metres - Interior side yard - 1.2 metres - Rear yard - 7.5 metres

   f) The maximum height of a temporary sales office shall be 6.5 metres.

   g) The maximum ground floor area of a temporary sales office shall be 200 square metres.”
h) Notwithstanding the above requirements, a temporary sales office may be located within a Model Home.

5. That Section 4.36 to the Blue Mountains Zoning By-law 2018-65 is amended by deleting and replacing Section 4.36 as follows:

"4.36 TEMPORARY CONSTRUCTION

a) Nothing in this By-law shall prevent uses incidental to construction, such as a construction camp or other such temporary work camp, tool shed, scaffold or other building or structure incidental to the construction, only for so long as the same are necessary for work in progress that has neither been finished nor abandoned."

6. That Table 4.12 to the Blue Mountains Zoning By-law 2018-65 is amended by inserting a new row after the last row as follows:

<table>
<thead>
<tr>
<th>Structure</th>
<th>Required Yard in which Projection is Permitted</th>
<th>Maximum Projection</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retaining walls having a height less than 1.0 metre</td>
<td>Any yard</td>
<td>Must be setback a minimum of 0.3 metres from a lot line.</td>
</tr>
</tbody>
</table>

7. That Part 3.0 to the Blue Mountains Zoning By-law 2018-65 is amended by deleting the definition of ‘Basement’ in its entirety.

8. That Table 7.1 to the Blue Mountains Zoning By-law 2018-65 is amended by deleting the text “Institutional Use” and replacing with the text “Those uses permitted in the Institutional ‘I’ Zone”.

9. That Section 5.3.1(c) to the Blue Mountains Zoning By-law 2018-65 is amended by adding the text “For residential lots with semi-detached, rowhouse or multiple dwellings driveways and surface parking areas shall be setback a minimum of 0.0 metres.” After the existing text.

10. That Table 7.1 to the Blue Mountains Zoning By-law 2018-65 is amended by deleting the permitted uses row “Apartment Building” in its entirety.

11. That Table 7.1 to the Blue Mountains Zoning By-law 2018-65 is amended by deleting the column Bruce Street Marsh Street Corridor ‘BMC’ Zone in its entirety.

12. That Section 7.2 to the Blue Mountains Zoning By-law 2018-65 is amended by deleting the text “For the Bruce Street Marsh Street ‘BMC’ Zone, the Residential ‘R1-1’ Zone Standards of Table 6.2.1 shall apply.”

13. That Part 3.0 to the Blue Mountains Zoning By-law 2018-65 is amended by inserting a new definition as follows: “Bruce Street / Marsh Street Small Scale Commercial Use – Means the use of part of a dwelling unit for a legal business activity that results in a product or service.”

14. That the General Provisions of Part 4.0 to the Blue Mountains Zoning By-law 2018-65 is amended by inserting a new Section 4.10 as follows and to renumber all subsequent sections accordingly.

"4.10 Bruce Street / Marsh Street Small Scale Commercial Uses"
Bruce Street / Marsh Street Small Scale Commercial Uses are permitted within the Bruce Street Marsh Street area as shown on Schedule ‘A’ to this By-law and are subject to the following provisions:

a. Not more than three employees, in addition to the residents of the dwelling unit shall be engaged in the use.

b. The use is entirely restricted to the dwelling unit and shall not be conducted in whole or in part in any accessory building or structure or private garage.

c. The maximum gross floor area dedicated to the use shall be 100% of the first storey of a dwelling up to a maximum of 100 square metres for retail uses and 150 square metres for all other uses.

d. The use shall retain the residential character of the area. No changes to the external character of the dwelling or lot as a private residence is permitted except for a legal sign in accordance with the Town’s Sign By-law.

e. There shall be no outside storage of materials, goods or vehicles.

f. The use shall not create noise, vibration, fumes, odour, dust, glare or radiation that is detectable outside of the dwelling unit.

g. A maximum of two vehicles are permitted to park in the front yard or private garage. Parking Areas shall be located in a side and rear yard only.

h. A minimum 1.0 metre planting strip is required along a side lot line or rear lot line in the rear yard.

i. A Bruce Street / Marsh Street Small Scale Commercial Use shall be subject to Site Plan Approval.

15. That Table 8.1 to the Blue Mountains Zoning By-law 2018-65 is amended by deleting Special Provision (6) from the Golf Course permitted use and replacing with Special Provision (4).


17. That Table 7.2 to the Blue Mountains Zoning By-law 2018-65 is amended by modifying the Commercial C1 column and adding Special Provisions as follows:

<table>
<thead>
<tr>
<th>Zone Standards</th>
<th>C1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Frontage (m)</td>
<td>9.0</td>
</tr>
<tr>
<td>Minimum Front Yard (m)</td>
<td>3.0 (4) (5)</td>
</tr>
<tr>
<td>Minimum Exterior Side Yard (m)</td>
<td>4.5 (4) (5)</td>
</tr>
<tr>
<td>Minimum Interior Side Yard (m)</td>
<td>3.0 (2) (5) (6)</td>
</tr>
<tr>
<td>Minimum Rear Yard (m)</td>
<td>7.5 (2) (5) (7)</td>
</tr>
<tr>
<td>Maximum Height (m)</td>
<td>11.0</td>
</tr>
</tbody>
</table>
Special Provisions:

(4) A minimum of 50% of the main wall opposite Arthur Street West, Bridge Street East, King Street East and Bruce Street shall be located no closer than 1 metre and no greater than 6 metres from the front lot line.

(5) Notwithstanding Special Provision 4. The Minimum required yard shall be 0 metres for lots with frontage on Bruce Street North and Bruce Street South between King Street and Louisa Street

(6) A side yard abutting a residential zone shall be increased to 6.0 metres.

(7) A rear yard abutting a residential zone shall be increased to 9.0 metres.

18. That Schedule ‘A’ to the Blue Mountains Zoning By-law 2018-65 is amended by modifying the Hazard ‘H’ zone boundaries for Block 17 of Draft Plan 42T-2012-03 in accordance with the Township of Collingwood Zoning By-law 2010-47.

19. That Schedule ‘A’ to the Blue Mountains Zoning By-law 2018-65 is amended by deleting the Open Space ‘OS’ zone boundaries at Part Lot 19 Concession 2 Parts 1 to 4 RP 16R7492 (796361 Grey Road 19) and replacing with the Residential ‘R1-1’ Zone.

20. That Table 7.1 to the Blue Mountains Zoning By-law 2018-65 is amended by deleting the permitted uses row “Bed and Breakfast Establishment” in its entirety.


22. That Section 4.3 to the Blue Mountains Zoning By-law 2018-65 is amended by inserting a new subsection 4.3(f) as follows “f) an accessory building or structure may be located in the front yard of the lot provided that the said lot abuts Georgian Bay and the building or structure is a minimum of 2.5 metres from the front lot line and no closer than 1.2 metres from an interior side lot line.” and renumbering all subsequent subsections accordingly.

23. That Section 4.21 to the Blue Mountains Zoning By-law 2018-65 is amended by deleting the text “may be replaced, enlarged, repaired or renovated provided that the replacement, enlargement, repair or renovation does not further encroach into a required yard and does not in any other way increase a situation of non-compliance.” And replace with the text “may be replaced, repaired or renovated provided that the replacement, repair or renovation does not increase the height, size or volume, or change the use of such building or structure. A non-complying building or structure may be enlarged provided the enlargement will comply with all of the other provisions of this By-law.”

24. That Table 8.1 to the Blue Mountains Zoning By-law 2018-65 is amended by deleting the permitted uses row “On-Farm Diversified Use” in its entirety.

25. That Section 4.1.2(b) to the Blue Mountains Zoning By-law 2018-65 is amended by inserting the text “apartment dwelling” after the word ‘accessory’ and to delete the text “or” and replace with “of”

26. That Section 4.1.2(h) to the Blue Mountains Zoning By-law 2018-65 is amended by deleting the text “and,”

27. That Schedule ‘A’ to the Blue Mountains Zoning By-law 2018-65 is amended by deleting the Hazard ‘H’ zone boundaries adjacent to the Georgian Bay Shoreline along Bayview Avenue, Fieldcrest Court and Peasemarsh Beach area, and replacing with the Residential ‘R1-1’ Zone, Open Space ‘OS’ Zone and the 177.9 GSCA Elevation (100 year Flood Line).

28. That Part 3.0 to the Blue Mountains Zoning By-law 2018-65 is amended by modifying the definition of Height by inserting the word ‘average’ before ‘finished grade’, removing the
italics for ‘finished grade’ and by deleting the words ‘wall of such building or structure facing the front lot line’ and replacing with the words ‘front elevation’

29. That Part 3.0 to the Blue Mountains Zoning By-law 2018-65 is amended by inserting a new definition as follows: “Required Yard – Means the minimum setback distance required for a yard.”

30. That Table 9.1 to the Blue Mountains Zoning By-law 2018-65 is amended by inserting the following text to the existing text contained in Exception 74 and Exception 78 “These lands may also be used for a Motor Vehicle Gas Bar”

And Further that this By-law shall come into force and take effect upon the enactment thereof.

Enacted and passed this ____ day of __, 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 __ day of __________, 2019.

Dated at the Town of The Blue Mountains, this ____ day of _____, 2019.

__________________________
Corrina Giles, Clerk
<table>
<thead>
<tr>
<th>ITEM</th>
<th>Author</th>
<th>Housekeeping Item</th>
<th>Staff Comment</th>
<th>Proposed Modifications</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Town</td>
<td>Duplication of text under Section 4.13(m) and 4.13(g)</td>
<td>Typo correction</td>
<td>Delete Section 4.13(m) in its entirety and renumber the following subsections accordingly.</td>
</tr>
</tbody>
</table>
| 2    | County | The Sight Triangle requirements of Section 4.32 do not match the County Transportation Services Sight Triangle requirements. | The County of Grey has jurisdiction for certain works along County roads. Town Staff agree that for consistency and clarity that Town requirements should match County requirements. | 1. Delete all references to 12.0 metres from Table 4.2 and replace with 15.0 metres.  
2. Add a special provision to local street and collector street as follows: (1) The sight triangle shall be increased to 15.0 metres by 15.0 metres at all County Road intersections. |
| 3    | Town   | Exception 23 has been applied to two properties in the Municipality. This exception applies only to an existing campground located at Part Lot 39, Concession 12. | Typo correction | Delete exception 23 from Grey Condo Plan 28 (Wensley Drive) |
| 4    | Town   | The terms ‘Multi-Unit Dwelling’ and ‘Multiple Dwelling’ are used interchangeably in the By-law. For consistency and to match existing definitions, references to Multi-Unit Dwelling should be deleted and replaced with Multiple Dwelling | Revision to provide clarity | Delete ‘multi-unit residential’ and replace with ‘Multiple Dwelling’ in Section 5.3.1 and Section 5.6.1 |
| 5    | Town   | Section 4.19 and Section 4.36 both deal with model homes, temporary sales office and temporary construction offices. The sections should be amalgamated into one section. | Revision to provide clarity | 1. Delete Section 4.19 and Section 4.36 in their entirety.  
2. Insert a new Section 4.19 as follows:  

"4.19 MODEL HOMES AND TEMPORARY SALES OFFICE  
Model homes and/or a temporary sales office shall only be permitted on lands that have received Draft Plan of Subdivision or Condominium approval for residential purposes provided that:  
a) Not more than 10% of the total number of residential units contained in the Draft Approved Plan of Subdivision are constructed as model homes to a maximum of 3 model homes;  
b) The model home is built within a lot defined by the Draft Approved Plan of Subdivision; and,  
c) The model home complies with all other requirements of this Zoning By-law for the applicable type of dwelling unit.  
d) The temporary sales office is limited to a maximum period of three years and that the temporary sales office is not used for human habitation.  
e) The temporary sales office is built within a lot defined by the Draft Approved Plan of Subdivision in accordance |
<table>
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<tbody>
<tr>
<td>6</td>
<td>Town</td>
<td>Clarification required on how retaining walls are regulated in the By-law. Consistent with the Ontario Building Code, retaining walls with a height of 1.0 metres or taller are deemed to be structures and subject to minimum required setbacks and building permits. Retaining walls with a height less than 1.0 metres are deemed not to be structures and are not required to meet minimum required setbacks.</td>
<td>The definition of ‘structure’ in the By-law is sufficient to include retaining walls as a structure. Section 4.12 identifies permitted encroachments and retaining walls having a height less than 1.0 metre can be recognized to located on a property line.</td>
<td>Insert a new row to Table 4.12 as follows:</td>
</tr>
<tr>
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</tr>
<tr>
<td></td>
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</tr>
<tr>
<td>7</td>
<td>Town</td>
<td>Height calculations were updated in the comprehensive zoning by-law to match how height is calculated in the Ontario Building Code. Old definitions for basement and cellar were intended to be removed from the By-law, however the definition of basement remains.</td>
<td>There is no need for a definition of Basement as height is calculated based on what is considered the first storey. The floors below the first storey do not need to be defined by the By-law.</td>
<td>Delete the definition of ‘Basement’ from Section 3 of the By-law.</td>
</tr>
<tr>
<td>8</td>
<td>Town</td>
<td>Institutional Uses are not defined in the By-law and are listed as a permitted use in certain commercial zones. Clarification is required as to what is an Institutional Use. It is intended that those Institutional uses identified in</td>
<td>Clarification required</td>
<td>Delete the text “Institutional Use” from Table 7.1 and replace with the text “Those uses permitted in the Institutional ‘I’ Zone”</td>
</tr>
<tr>
<td>ITEM</td>
<td>Author</td>
<td>Housekeeping Item</td>
<td>Staff Comment</td>
<td>Proposed Modifications</td>
</tr>
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</tr>
<tr>
<td>9</td>
<td>Town</td>
<td>Driveways and parking areas are required to maintain a minimum 1 metre setback from a side lot line which would prevent shared driveways and parking areas on multiple unit dwellings.</td>
<td>By-law to be revised to permit shared parking areas and driveways with a 0 metre setback requirement.</td>
<td>Modify Section 5.3.1(c) by adding the words “For residential lots with semi-detached, rowhouse or multiple dwellings driveways and surface parking areas shall be setback a minimum of 0 metres.” after the existing text.</td>
</tr>
<tr>
<td>10</td>
<td>Town</td>
<td>Standalone apartment buildings are currently permitted as of right in the Commercial C1 zone. The Town of The Blue Mountains Official Plan recognizes that standalone apartment buildings may be permitted in the Downtown Areas (C1 Zone) but are directed to side streets and are subject to a Zoning By-law Amendment. (See Official Plan Section B3.3.5.3.2)</td>
<td>By-law to be revised to remove as of right permission.</td>
<td>Modify Table 7.1 by deleting the permitted use of Apartment Building from the Commercial C1 zone and the Bruce Marsh Street Corridor BMC zones.</td>
</tr>
<tr>
<td>11</td>
<td>Town</td>
<td>The Bruce Street Marsh Street Corridor is an area identified in the Blue Mountains Official Plan as all lots that front Bruce Street and Marsh Street between the Thornbury and Clarksburg downtown areas. Appropriate small scale businesses on these properties may be permitted in existing dwellings while maintaining the character and built form of the area. The primary residential character of the area and property must be maintained. Permitted uses could include home occupations, small-scale medical offices, retail and service commercial uses and art galleries. Such uses shall be defined and regulated through the Zoning By-law and shall be subject to Site Plan Control. These small scale businesses represents those uses larger in scale than a home based business, and substantially smaller than traditional downtown commercial uses. By-law 2018-65 creates a BMC Zone and provides a list of permitted uses. Lot development requirements are subject to the Residential R1-1 zone provisions leaving a gap in terms of establishing scale, buffering and other lot development requirements.</td>
<td>Bruce Street Marsh Street Corridor to maintain residential character and to allow small scale commercial uses. Maximum floor area, first floor/second floor requirements, number of employees, owner occupied requirements, outdoor uses, parking, buffering and site plan approval requirements to be regulated. Staff recommend that General Provisions be inserted into the Zoning By-law that provides the framework for Bruce Street / Marsh Street Small Scale Businesses based on the above list. The existing BMC zone would no longer be required.</td>
<td>1. Delete the column Bruce Street Marsh Street Corridor ‘BMC’ zone from Table 7.1 in its entirety. 2. Delete the text “For the Bruce Street Marsh Street ‘BMC’ Zone, the Residential ‘R1-1’ Zone Standards of Table 6.2.1 shall apply.” 3. Insert a new Definition to Section 3 as follows: “Bruce Street / Marsh Street Small Scale Commercial Use Means the Use of part of a dwelling unit for a legal business activity at a scale larger than a home business that results in a product or service.” 4. Insert a new General Provision Section 4.10 as follows, and renumber all subsequent sections accordingly. “4.10 Bruce Street / Marsh Street Small Scale Commercial Uses Bruce Street / Marsh Street Small Scale Commercial Uses are permitted within the Bruce Street Marsh Street area as shown on Schedule ‘A’ to this By-law and are subject to the following provisions:</td>
</tr>
<tr>
<td>ITEM</td>
<td>Author</td>
<td>Housekeeping Item</td>
<td>Staff Comment</td>
<td>Proposed Modifications</td>
</tr>
<tr>
<td>------</td>
<td>--------</td>
<td>-------------------</td>
<td>--------------</td>
<td>------------------------</td>
</tr>
<tr>
<td>12</td>
<td>Town</td>
<td>Table 8.1 permits golf courses in the Hazard ‘H’ zone subject to special provision (6). Special provision 6 is a typo and the correct reference should be to special provision (4). Existing golf courses were developed by way of appropriate environmental review which permitted certain golf course uses (fairways, etc) to locate within the Hazard H zone. These uses may continue</td>
<td>Typo correction</td>
<td>For Table 8.1: Delete Special Provision (6) from the Golf Course use in the Hazard ‘H’ zone and replace with Special Provision (4)</td>
</tr>
<tr>
<td>13</td>
<td>Town</td>
<td>Hazard Mapping provided by the Conservation Authority does match the approved defined Hazard limits</td>
<td>Revision required to recognize previous approvals</td>
<td>Schedule ‘A’ mapping to be revised by removing the Hazard ‘H’ zone in accordance with By-law 2006-39</td>
</tr>
</tbody>
</table>
14  Town  | Commercial C1 zone has a 0 metre front yard setback. 0 metre setback previously applied to the historic downtown area of Thornbury. 0 metre setback requirement to continue to apply to this area, and the remaining Commercial C1 lands to require previous minimum/maximum setback requirements.  | Setback requirements in previous zoning by-law: 10-77 C2 Zone: 3 metres. Except: a minimum of 50% of the main wall opposite Arthur Street West, Bridge Street East, King Street East and Bruce Street shall be located no closer than 1 metre and no greater than 6 metres from the front lot line. | Modify the Commercial C1 column in table 7.2 to the following:

<table>
<thead>
<tr>
<th>Zone Standards</th>
<th>C1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Frontage (m)</td>
<td>9.0</td>
</tr>
<tr>
<td>Minimum Front Yard (m)</td>
<td>3.0 (4) (5)</td>
</tr>
<tr>
<td>Minimum Exterior Side Yard (m)</td>
<td>4.5 (4) (5)</td>
</tr>
<tr>
<td>Minimum Interior Side Yard (m)</td>
<td>3.0 (2) (5)</td>
</tr>
<tr>
<td>Minimum Rear Yard (m)</td>
<td>7.5 (2) (5)</td>
</tr>
<tr>
<td>Maximum Height (m)</td>
<td>11.0</td>
</tr>
<tr>
<td>(4) A minimum of 50% of the main wall opposite Arthur Street West, Bridge Street East, King Street East and Bruce Street shall be located no closer than 1 metre and no greater than 6 metres from the front lot line.</td>
<td></td>
</tr>
<tr>
<td>(5) Notwithstanding Special Provision 4. The Minimum required yard shall be 0 metres for lots with frontage on Bruce Street North and Bruce Street South between King Street and Louisa Street</td>
<td></td>
</tr>
</tbody>
</table>

15  Town  | Hazard Mapping provided by the Conservation Authority does match the approved defined Hazard limits established by Zoning By-law 2010-47 for a Draft Plan Approved lot on Brophy’s Lane.  | Revision required to recognize previous approvals |

16  Town  | Error found in the applicable zoning for Lots 14, 15, 16 Plan 16M-24 (George McRae Road). By-law 2018-65 incorrectly places these lands in the Residential R2-41 zone permitting a range of higher density residential unit types up to a maximum of 15 units. Previous OMB approved zoning states that these lands shall be used for single detached dwellings.  | See Planning Staff Report PDS.19.69 for additional background information.  | For lots 14, 15, 16 Plan 16M-24: delete the Residential ‘R2-41’ zone from Schedule ‘A’ and replace with the Residential ‘R1-1’ zone.
<table>
<thead>
<tr>
<th>ITEM</th>
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</tr>
</thead>
<tbody>
<tr>
<td>17</td>
<td>Town</td>
<td>Error found in the applicable zoning for an existing single detached dwelling at 796361 Grey Road 19. Schedule ‘A’ places these lands in the Open Space OS zone. It is confirmed that the lands are solely used for residential purposes and include an existing single detached dwelling, and associated uses.</td>
<td>Revision required to recognize residential use</td>
<td>For 796361 Grey Road 19: delete the Open Space ‘OS’ zone from Schedule ‘A’ and replace with the Residential ‘R1-1’ zone.</td>
</tr>
<tr>
<td>18</td>
<td>Town</td>
<td>Bed and Breakfast uses are identified as a permitted use in the Commercial C1, C6, C7 and BMC Zones. In accordance with the policies of the Official Plan Section B2.5.1 a Bed and Breakfast use must only be permitted by way of Zoning By-law Amendment (S. B2.5.1(a))</td>
<td>As of right permission for bed and breakfast use to be removed from all zones.</td>
<td>Table 7.1 to be modified by deleting the Bed and Breakfast Establishment row in its entirety.</td>
</tr>
<tr>
<td>19</td>
<td>Town</td>
<td>Exception 43 applies to a residential lot with future public road access, but the exception was applied to all lots within the Peaks Meadows subdivision.</td>
<td>Mapping to be revised so that Exception 43 only applies to Lot 45 Plan 16M-20. All other references to Exception 43 to be deleted.</td>
<td>Delete Exception 43 from all lands save and except for Lot 45 Plan 16M-20.</td>
</tr>
<tr>
<td>20</td>
<td>Town</td>
<td>Garages were previously permitted in the front yard on lots within Collingwood Township that have frontage on Georgian Bay. Garages were permitted in the Front Yard with a reduced front yard setback of 2.5 metres.</td>
<td>By-law 2018-65 permits garages in front yards in certain zones subject to maintaining minimum setback requirements for the main building. Add special permission for lots with frontage on Georgian Bay to have a reduced front yard setback of 2.5 metres.</td>
<td>Insert a new Subsection 4.3(f) as follows: f) an accessory building or structure may be located in the front yard of the lot provided that the said lot has frontage on Georgian Bay and the building or structure is a minimum of 2.5 metres from the front lot line and no closer than 1.2 metres from an interior side lot line.</td>
</tr>
<tr>
<td>21</td>
<td>Town</td>
<td>Clarification required on non-complying buildings and structures. Buildings may be replaced and renovated provided that the works do not increase the height, size, bulk or volume of the existing building. Any expansion to a non-complying building must be constructed in accordance with all other provisions of the By-law.</td>
<td>Clarification is required so that it is understood that a building encroachment does not implement a new setback requirement for the property. Only those existing portions of non-compliance can continue. Anything new must conform to the Zoning By-law.</td>
<td>For Section 4.21: delete the words “may be replaced, enlarged, repaired or renovated provided that the replacement, enlargement, repair or renovation does not further encroach into a required yard and does not in any other way increase a situation of non-compliance.” Replace with “may be replaced, repaired or renovated provided that the replacement, repair or renovation does not increase the height, size or volume, or change the use of such building or structure. A non-complying building or structure may be enlarged provided the enlargement will comply with all of the other provisions of this By-law.”</td>
</tr>
<tr>
<td>22</td>
<td>Town</td>
<td>On-Farm Diversified Use is listed as a permitted use in Table 8.1. Section 4.24 provides the permitted use requirements for on-farm diversified uses across the municipality. Permitted uses in Table 8.1 is unnecessary duplication.</td>
<td>Revision required to delete on-farm diversified uses from the list of permitted uses in Table 8.1</td>
<td>For Table 8.1: Delete the row “On-Farm Diversified Use” in its entirety</td>
</tr>
<tr>
<td>ITEM</td>
<td>Author</td>
<td>Housekeeping Item</td>
<td>Staff Comment</td>
<td>Proposed Modifications</td>
</tr>
<tr>
<td>------</td>
<td>--------</td>
<td>-------------------</td>
<td>--------------</td>
<td>------------------------</td>
</tr>
<tr>
<td>23</td>
<td>Town</td>
<td>Typographical error Section 4.1.2(b) is missing the words apartment dwelling after the word accessory, and the text “or” should read “of”</td>
<td>Typo correction</td>
<td>For Section 4.1.2(b): Insert the words “apartment dwelling” after the word accessory and delete the word “or” and replace with “of”</td>
</tr>
<tr>
<td>24</td>
<td>Town</td>
<td>Typographical error Section 4.1.2(h) delete the text ‘and,’</td>
<td>Typo correction</td>
<td>For Section 4.1.2(h): Delete the text “and,”</td>
</tr>
<tr>
<td>25</td>
<td>Grey Sauble Conservation Authority</td>
<td>The Hazard Mapping along the shoreline of Bayview Avenue includes more restrictive Hazard boundaries than what exists</td>
<td>The Hazard mapping contained in the Zoning By-law has been provided by the Grey Sauble Conservation Authority. It is recognized that the Hazard boundaries are based on a desktop exercise and that the actual boundaries may be refined further based on more detailed study. Hazard Boundaries to be updated in accordance with recommendations from the Grey Sauble Conservation Authority.</td>
<td>Delete and replace the Hazard Zone Boundaries along the shoreline at Bayview Avenue with more accurate Hazard Zone Boundaries as recommended by the Grey Sauble Conservation Authority.</td>
</tr>
<tr>
<td>26</td>
<td>Town</td>
<td>Permitted encroachments of Section 4.11 and 4.12 are not clear as to how far a deck or other structure may encroach into a yard.</td>
<td>By-law 2018-65 uses the term “required yard” which is not defined, but is intended to recognize the required setback from a lot line.</td>
<td>Insert a new definition for Required Yard as follows: “Required Yard Means the minimum setback distance required for a yard”</td>
</tr>
<tr>
<td>27</td>
<td>Town</td>
<td>Town acquisition of lands at border of former Town of Thornbury</td>
<td>Lands to be acquired are adjacent to existing tourism office / BIA building and are intended to be used for Open Space uses.</td>
<td>Rezone the easterly portion of Town Plot Part Lot 5 to Part Lot 14 King E/S from the Commercial ‘C1’ Zone to the Open Space ‘OS’ Zone</td>
</tr>
<tr>
<td>28</td>
<td>Town</td>
<td>Existing Gas Stations are not permitted in Thornbury under the Commercial ‘C1’ Zone in the new By-law</td>
<td>Town of The Blue Mountains Official Plan policy permits new Gas Stations only by way of Zoning By-law Amendment and Site Plan Control. It is noted that the three existing gas bars (UPI, Ultramar, Esso) were permitted by way of Zoning By-law Amendment and Site Plan Approval and that these permissions should have been carried forward into the new Zoning By-law. It is noted that the UPI Gas Station is recognized as a permitted use through Exception 7 to the By-law.</td>
<td>1. Modify Exception 74 to recognize the existing Ultramar gas station by inserting the text “These lands may also be used for a Motor Vehicle Gas Bar” as the first line to the Exception. 2. Modify Exception 78 to recognize the under construction Esso gas station by inserting the text “These lands may also be used for a Motor Vehicle Gas Bar” as the first line to the Exception.</td>
</tr>
<tr>
<td>Letter</td>
<td>Comment Received</td>
<td>Staff Response</td>
<td>Proposed Modification</td>
<td></td>
</tr>
<tr>
<td>--------</td>
<td>-------------------------------------------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------------------------------</td>
<td>-----------------------</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Grey County Planning Staff letter of no concerns</td>
<td>no comment</td>
<td>No modifications proposed</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Simcoe County Planning Staff letter requesting that lands within 500 metres of County of Simcoe Waste Disposal Site 33 be required to complete a D4 assessment.</td>
<td>By-law 2018-65 as enacted in November 2018 includes a Holding ‘-h3’ Symbol on all lands within 500 metres of the Waste Disposal Site. New development cannot occur until such time as a D4 assessment is completed</td>
<td>No modifications proposed</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Grey Sauble Conservation Authority Staff letter of no concerns</td>
<td>no comment</td>
<td>No modifications proposed</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Nottawasaga Valley Conservation Authority Staff letter of no concerns</td>
<td>no comment</td>
<td>No modifications proposed</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Lots 14, 15, 16 George McRae Road Letter of Support for proposed modification to rezone from Residential R2 to Residential R1-1 (two letters received with same content)</td>
<td>This matter was dealt with under separate process resulting in a Zoning By-law Amendment to rezone the lands to R1-1. The By-law has been appealed to the LPAT and will be resolved through the LPAT process. Lands are still under an Interim Control By-law. No new development is permitted on these lands until the LPAT decision is received.</td>
<td>No modifications proposed</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Accessory Buildings being permitted in the Front Yard (street side) for lots located on Georgian Bay is too permissive</td>
<td>Accessory Buildings are typically required to be in the side yard or rear yard only. Collingwood Township By-law 83-40 previously permitted accessory buildings in the front yard with a minimum 2.5 metre setback for those lots located on Georgian Bay. The proposed modification would reinstate that previous permission a slight modification is proposed to remove “frontage on Georgian Bay” and replace with “abuts Georgian Bay”.</td>
<td>Insert a new Subsection 4.3(f) as follows: “f) an accessory building or structure may be located in the front yard of the lot provided that the said lot abuts Georgian Bay and the building or structure is a minimum of 2.5 metres from the front lot line and no closer than 1.2 metres from an interior side lot line. No modifications proposed at this time</td>
<td></td>
</tr>
<tr>
<td></td>
<td>SWM facilities to be placed in the Environmental Protection Zone</td>
<td>The majority of SWM facilities are zoned Hazard or Open Space in the By-law restricting the development potential of those areas. Other SWM facilities were zoned as a result of previous OMB/LPAT orders or other approvals. It is noted that the Zoning for various SWM facilities is a wider concern and should be addressed in more detail through a future Amendment or Housekeeping process.</td>
<td>No modifications proposed at this time</td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Use of the term “Development” for the Development ‘D’ Zone is misleading and suggests that development will be permitted</td>
<td>Planning Staff have been directed to review the Development ‘D’ Zone requirements including permitted uses and lot development requirements. Use of the term ‘Development’ will be added to that process</td>
<td>No modifications proposed</td>
<td></td>
</tr>
<tr>
<td></td>
<td>The Holding ‘-h’ Boundaries for Wetlands, Source Water Protection Areas, and others are difficult to interpret on the Zone Schedules</td>
<td>Planning Staff has considered alternative mapping options including the provision of additional schedules, and modified line weights. The preference is to capture all data on one map. The interactive online mapping feature includes additional details and clear delineation of zone boundaries that cannot be captured on the paper maps.</td>
<td>No modifications proposed</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Proposed Short Term Accommodation changes will impact properties at 104 Brooker Boulevard</td>
<td>Short Term Accommodation Uses are being considered through a separate process. This concern has been received and will be reviewed through the STA Zoning By-law process.</td>
<td>No modifications proposed</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Objection to removing Apartment Buildings as of right on Commercial C1 properties</td>
<td>The Town of The Blue Mountains Official Plan (Section B3.3.5.3.1) recognizes that main streets of Commercial Areas shall be protected for street level commercial uses. Apartment units are permitted on upper floors only. In some instances street level residential may be permitted on side streets and subject to meeting specific development criteria and</td>
<td>Modify Table 7.1 be deleting the Row “Apartment Building” in its entirety.</td>
<td></td>
</tr>
</tbody>
</table>
Objection to eliminating 0.0 metre setback requirement for Commercial uses in C1 Zone

The Commercial C1 Zone in By-law 2018-65 is the amalgamation of the C1 and C2 Zones in Thornbury By-law 10-77 and the C1 Zone in Collingwood Township By-law 83-40. The new Commercial C1 Zone is intended to recognize the Downtown Areas as designated in the Official Plan. Policy direction provides for the maintenance and enhancement of the Downtown character with a strong focus on the streetscape design. Zero metre setbacks exist in the historic downtown area of Thornbury (Bruce Street) and Clarksburg (Marsh Street / Clark Street). Commercial areas beyond the historic downtown areas have increased setback requirements. Table 1 below provides a summary of required setbacks in metres:

Table 1:

<table>
<thead>
<tr>
<th></th>
<th>C1 (10-77)</th>
<th>C2 (10-77)</th>
<th>C1 (83-40)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front</td>
<td>0</td>
<td>3.0 m with Min 1.0 Max 6.0</td>
<td>7.5</td>
</tr>
<tr>
<td>Int. Side</td>
<td>0</td>
<td>3.0</td>
<td>2.0</td>
</tr>
<tr>
<td>Ext. Side</td>
<td>4.5</td>
<td>3.0</td>
<td>6.0</td>
</tr>
<tr>
<td>Rear</td>
<td>0</td>
<td>7.5</td>
<td>7.0</td>
</tr>
</tbody>
</table>

* increased setbacks are required adjacent to Residential Zones including 6m to 9m from side yard and 9m to 10m from rear yard.

Modify the Commercial C1 column in table 7.2 to the following:

<table>
<thead>
<tr>
<th>Zone Standards</th>
<th>C1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Frontage (m)</td>
<td>9.0</td>
</tr>
<tr>
<td>Minimum Front Yard (m)</td>
<td>3.0 (4) (5)</td>
</tr>
<tr>
<td>Minimum Exterior Side Yard (m)</td>
<td>4.5 (4) (5)</td>
</tr>
<tr>
<td>Minimum Interior Side Yard (m)</td>
<td>3.0 (2) (5) (6)</td>
</tr>
<tr>
<td>Minimum Rear Yard (m)</td>
<td>7.5 (2) (5) (7)</td>
</tr>
<tr>
<td>Maximum Height (m)</td>
<td>11.0</td>
</tr>
</tbody>
</table>

Special Provisions:
(4) A minimum of 50% of the main wall opposite Arthur Street West, Bridge Street East, King Street East and Bruce Street shall be located no closer than 1 metre and no greater than 6 metres from the front lot line.
(5) Notwithstanding Special Provision 4. The Minimum required yard shall be 0 metres for lots with frontage on Bruce Street North and Bruce Street South between King Street and Louisa Street.
(6) A side yard abutting a residential zone shall be increased to 6.0 metres.
(7) A rear yard abutting a residential zone shall be increased to 9.0 metres.
### Objection to recognizing Retaining Walls with a height of 1.0 metre or more as a structure.

Development Services Staff has witnessed increased number of projects that include retaining walls of varying heights. It is understood that retaining walls can be necessary to be able to achieve proper drainage and grading on a property, but substantial retaining walls have been proposed that can impact overall building heights and massing and streetscape character. Retaining walls may be permitted on a property however if the retaining wall is 1.0 metre or taller, Staff recommend that it be deemed a structure and be subject to setbacks. It is noted that retaining walls of 1.0 metre or taller are deemed structures under the building code and are subject to building permits.

#### Insert a new row to Table 4.12 as follows:

<table>
<thead>
<tr>
<th>Structure</th>
<th>Required Yard in which Projection is Permitted</th>
<th>Maximum Projection</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retaining walls having a height less than 1.0 metre</td>
<td>Any yard</td>
<td>Must be setback a minimum of 0.3 metres from a lot line.</td>
</tr>
</tbody>
</table>

### Request that previous OMB approvals, Minutes of Settlement, Master Development Agreement or Previous Zoning be recognized to re-instate limits of Hazard Lands.

Retaining Walls should not be subject to setbacks.

This request was submitted through the original Public Open House and Public Meeting process for the Comprehensive Zoning By-law and previous approvals were reviewed at that time with the Conservation Authority.

See Comments above (Item 9) regarding Retaining Walls.

No modifications proposed

### Clarification is required on how height is calculated from grade on the front wall

Height for new construction has been applied by calculating the average finished grade of the front elevation to a mid-point or peak of a roof. Clarification is required that average finished grade is taken from the front elevation of the building.

*That Part 3.0 to the Blue Mountains Zoning By-law 2018-65 is amended by modifying the definition of Height by inserting the word ‘average’ before ‘finished grade’, removing the italics for ‘finished grade’ and by deleting the words ‘wall of such building or structure facing the front lot line’ and replacing with the words ‘front elevation’.***
Town of the Blue Mountains,
32 Mill Street, Box 310,
Thornbury, Ontario
NOH 2P0

Attention: Town Clerk

Re: Town of the Blue Mountains

"Housekeeping Amendments to Comprehensive Zoning By-Law 2018-65",

Item 16: Lot 14 - Plan 16M-24

Please accept this as my “Letter of Support” for Item 16 of the above noted Zoning Amendment.

Further, I respectfully request Council’s immediate attention to this matter as a Sale of the property is pending.

I also ask to be notified in writing of Council’s decision on this matter.


The purpose of my purchase was to construct a single family residence.

This was in accordance with the Town’s Zoning By-Law in place at that time and applicable zoning amendment permitting single family home construction.

This is also consistent with the registered subdivision agreement and associated engineering plan, approved by the Town. This Lot 14 is serviced with the Municipal Services suitable only for single family residential use in accordance with the approved engineering plans.

As well my 2018 “Tax Bill” identifies the property as residential-RT.

Further I note that the adjacent lot 15 has been constructed with a single family dwelling in place and occupied.

With the aforementioned in mind, it seems that an over sight has occurred during the Municipal Comprehensive zoning by-law updated in 2018.

As such I respectfully request the zoning designation be corrected as soon as possible, to reflect the Zoning designation originally anticipated when this subdivision Plan 16M-24 was registered and approved by the Town.

I would also like to briefly speak to this matter at the Public Meeting.

all of which is

Respectfully Submitted,

Steve Young
Steve Young Construction Ltd.
Cc Nathan Westendorp, Director of Planning
    Shawn Postma Senior Policy Planner
    Alar Soever, Mayor

cc Glenn Solomon, Solcorp Development
    Doug Gillis, Realtor
    LeeAnn Mathews, Realtor

Enclosures.
July 2nd, 2019

Shawn Postma, Senior Policy Planner
Town of Blue Mountains
PO Box 310 – 32 Mill Street
Thornbury, ON
N0H 2P0
*Sent via E-mail

Re: Housekeeping Zoning By-law Amendment
Town of The Blue Mountains

Dear Mr. Postma,

This correspondence is in response to the above noted application. We have had an opportunity to review the application in relation to the Provincial Policy Statement (PPS) and the County of Grey Official Plan (OP). We offer the following comments.

The Town of The Blue Mountain Planning staff are undertaking a series of housekeeping amendments to the Comprehensive Zoning By-law 2018-65. By-law 2018-65 replaced the former Town of Thornbury By-law 10-77 and former Township of Collingwood By-law 83-40. The housekeeping amendments are intended to clarify matters and do not shift the direction of the original By-law. A number of corrections and areas requiring further clarification are proposed.

County planning staff have reviewed the purposed changes and have no concerns with the subject amendments.

The County requests notice of any decision rendered with respect to this file.

If you wish to discuss this matter further, please do not hesitate to contact me.

Yours truly,

Hiba Hussain
Planner
(519) 372-0219 ext. 1241
hiba.hussain@grey.ca
July 2, 2019

Corrina Giles
Clerk
32 Mill St. Box 310
Thornbury ON, N0H 2P0
Town of The Blue Mountains

Dear Ms. Giles

RE: Notice of Public Meeting
Proposed Application for Zoning Amendment for Municipal Wide Housekeeping Amendments to Comprehensive Zoning Bylaw 2018-65

County Planning staff understand that Town of the Blue Mountains staff are undertaking a series of housekeeping amendments to Comprehensive Zoning Bylaw 2018-65. County staff also note that these housekeeping amendments intend to clarify items within Zoning Bylaw 2018-65 and do not shift the direction of the original By-law.

Planning Comments

Please note that properties within the Town of the Blue Mountains are within the 500 metres D4 Assessment Area of County of Simcoe Waste Disposal Site 33. County planning staff request that this assessment area is reflected within applicable Zoning Bylaw schedules. Attachment No. 1 identifies the location of Waste Disposal Site 33 and the surrounding Assessment Area for reference.

Please circulate the County of Simcoe on any further notices related to this file. If you have any questions or require further information, please do not hesitate to contact the undersigned at 705-726-9300 Ext.1969 or Kaitlyn.blake@simcoe.ca

Sincerely,

The Corporation of the County of Simcoe

Kaitlyn Blake
Planner II

Cc: Greg Marek, Manager of Planning – County of Simcoe
Shawn Postma, Sr. Policy Planner – Town of Blue Mountains

Attachment No. 1 – Location Map
Location Map: Waste Management Assessment Area for County Waste Disposal Site No. 33

Address: 227 Osler Bluff Road, Collingwood

This map, either in whole or in part, may not be reproduced without the written authority from the County of Simcoe, Copyright © County of Simcoe Land Information Network Cooperative - LINC 2014. Produced (in part) under license from: the Cities of Barrie & Orillia, the Ontario Ministry of Natural Resources (Copyright - Queens Printer 2014). ©Teranet Enterprises Inc. and its suppliers all rights reserved and Members of the Ontario Geospatial Data Exchange.

THIS IS NOT A PLAN OF SURVEY.

Date Generated: 2019/07/02
June 28, 2019

Corinna Giles, Town Clerk
Town of The Blue Mountains
32 Mill Street
Box 310
Thornbury, ON
N0H 2P0

Dear Ms. Giles:

RE: Application for Zoning Amendment - Housekeeping Amendments to Comprehensive Zoning By-law 2018-65
Applicant: Town of The Blue Mountains
Property Location: Municipal Wide
Town of the Blue Mountains, formerly Collingwood Township
Our File: P19259

It is our understanding that the subject application for zoning amendment is to facilitate housekeeping amendments to the Comprehensive Zoning By-law 2018-65. The Grey Sauble Conservation Authority has reviewed the series of proposed housekeeping amendments outlined in the Notice of Public Meeting circulated June 6, 2019 and has no objection to approval of the subject application.

We request a notice of decision in this matter, and notice of any appeals, be provided to our office.

If any questions should arise, please contact our office.

Regards,

Jacob Klozka

cc Planning Department, Town of The Blue Mountains
Andrea Matrosov, Authority Director, Town of The Blue Mountains

Watershed Municipalities
Arran-Elderslie, Chatsworth, Georgian Bluffs, Grey Highlands
Meaford, Owen Sound, South Bruce Peninsula, Blue Mountains
Regard: Comprehensive Zoning By-law 2018-65
Housekeeping Amendments

After hearing the report of staff PDS 19.76 at Committee of the Whole on July 3, I have taken a few minutes to review some portions of ZBL 2018-65 that relate particularly to areas of interest to me. I respectfully submit my comments for your consideration. I apologize for their tardy presentation, but the Town has a lot going on with which I am involved.

Proposed Housekeeping Item #20

Reducing the front yard setbacks for properties with frontage on Georgian Bay does not make sense to me. Front lot line (which I assume is frontage as it is not defined in the Definitions) in the ZBL is defined as the line that divides the lot from a public or private street (pg 25). Hence a property can not have frontage on Georgian Bay. Reducing the rear yard setback to with 2.5m of the all-time high-water mark is dangerous. The high-water mark on calm days has been reached and probably exceeded this year. On windy days the wave rushes up a meter more and the breaking waves splash beyond that. I think it is not right on this wild bay to have a 2.5m proximity to the high-water mark.

Consistency with Official Plan

Section C5 of the Town’s 2016 Official Plan states, on page 159, “All stormwater management facilities … shall be placed in the Environmental Protection Zone in the implementing Zoning By-law to reflect ….” (caps are in the Town OP). I cannot find any reference to this zone in ZBL 2018-65. But there should be! Please create an Environmental Protection Zone.

Further to that, Sections D3 and D4 in the Town’s Official Plan speak to the significance of the cultural heritage resources and districts and the archaeological resources within the Town. These sections state that these cultural resources should be protected through the Zoning By-law with the implementation of “Heritage Overlay Zone” or area-specific heritage zone (pg 190) or archaeological zones (pg 191). I can not find any reference to these special zone designations. I would suggest addressing this need, conforming to the direction in the Town OP and create a zone that is a “heritage protection zone” for cultural and archaeological resource recognition and protection.

Section 8 - Other Zones

Within Table 8.1 there is a zone “D” – D is defined as Development. This name does not make sense as the zone permits only existing/grandfathered uses or agricultural uses. The name development implies there is improvement potential and is misleading in the uses permitted. One area in particular zoned with the D symbol is the Bluewater School site on Grey Rd 19. It previously had an institutional zone applied on it but that is changed to D and it is not clear why that has happened.
Maps

Most maps in Schedule A have a black line drawn around various areas/zones. The purpose of this black line is not clear on the map legends and thus is confusing.

Thank you for considering my concerns.

Pamela Spence

July 12, 2019

Cc O. Bartnicki  
P. Bordignon  
N. Westendorp  
S. Postma
Hi Corrina, Shawn

RE: Town of The Blue Mountains Planning Staff are undertaking a Zoning By-law review to consider new Short Term Accommodation (STA) provisions for the Blue Mountains Comprehensive Zoning By-law 2018-65. The Draft Zoning By-law Amendment intends to consolidate the previous Zoning By-laws 2009-03, 2009-04 and 2009-05 that regulates STA uses as well as providing some additional clarification and direction with updated definitions, general provisions and parking requirements.

Thanks to Mr. Finbow, I was alerted that whoever drafted the zoning amendment being considered, is about to cause serious damage to my long lasting business (20 years)

The amendment is proposing to place my chalets at 104 Brooker Blvd units 1-8 in exception 110 which does not allow short term rentals at all.

This so disappointing as I have run an almost perfect business that had close to nil issues, as I hope Kirsty would attest.

Furthermore, the chalets are already licensed as STA under the legal non-conforming clause.

I have also requested that David act on our behalf with regard to this obvious (I hope) error

Please amend the amendment to place us in either exception 98 or 99

Regards

Mark Faiz
The Beneplan Co-operative
1.800.387.1670 x224
F 416.863.5157

500-150 Ferrand Drive
Toronto ON M3C 3E5
We live at 127 George McRae Road, The Town of The Blue Mountains. This is submitted in support of the single detached dwellings designation for the above lots. The Development Agreement, which the Town received payment to enforce, the as-constructed servicing and the fact that they have been marketed and sold as single family lots since 2009 provide strong support that the single family home designation is correct.

The nearby home owners, of which we are one bought our lots based on the above information.

Ron Wilson

Begin forwarded message:

From: Shawn Postma <spostma@thebluemountains.ca>
Date: June 10, 2019 at 4:25:14 PM EDT
To: build <build@thebluemountains.ca>, Planning Info <planning@thebluemountains.ca>
Subject: RE: Lots 14, 15, 16 George McRae - Town of The Blue Mountains - Zoning Update

Further to the email below, Planning Staff has investigated the zoning on these three lots and can confirm that the approved zoning implemented by the Ontario Municipal Board is for Single Detached Dwellings and not Multi-attached Dwellings. With By-law 2018-65 in full force and effect the multi-residential zoning is what is technically in place, however it was never the intent of the Town to increase development permissions on these lands.

Planning Staff has now released a Notice of Public Meeting to occur on July 3, 2019 to deal with a number of housekeeping items including a proposed change to rezone Lots 14, 15, 16 to the Residential ‘R1-1’ zone consistent with the surrounding single detached residential lots. The ‘R1-1’ zone only permits single detached dwellings. It is noted that this is a standard zoning by-law amendment process. Public meeting, council decision and appeal rights are available. It is further noted that Council will be on summer recess from mid July to end of August, so the earliest we can anticipate a final decision on this issue is late summer early fall. I have attached the notice of public meeting to this email. If you have any comments in support or objecting to the proposed change, please provide them by July 3rd.

Today Council enacted an interim control by-law that temporarily freezes new development on Lot 14, 15, 16 Plan 16M-24 so that a study may be undertaken to
investigate the zoning history and to report back to Council on a recommended course of action. Building Permits for any development will not be available until such time as the review is complete and Council has lifted the interim control By-law. All buildings, structures and uses that existed prior to the enactment of the interim control by-law are permitted to continue. Any existing building permits that have been issued prior to the enactment of the interim control by-law are also permitted to continue uninterrupted. It is intended that once a final decision of Council is received and no appeals are received that the interim control by-law will be lifted and the approved zoning will be in effect.

Notice of passing of the Interim Control By-law will be sent by email (and snail mail to lot owners) when I receive the signed copy of the By-law.

If you have any questions, please do not hesitate to contact me.

Shawn

Shawn Postma, BES MCIP RPP
Senior Policy Planner

Town of The Blue Mountains – Planning Services
32 Mill Street, PO Box 310, Thornbury, ON N0H 2P0
Phone: 519-599-3131 ext 248
www.thebluemountains.ca
George McRae Road

There has been some confusion on the status of the Zoning in effect on Lots 14, 15, 16 Plan 16M-24 (Ridge Estates). The Town records included By-law 2009-39 as included in Attachment #2. This Board Order states that the lots are zoned Residential R6-167-h permitting up to 15 multi-attached residential dwellings. A second Board Order has now been found under the same By-law number (2009-39) and is marked as ‘revised’ and is included in Attachment #1. This Board Order states that the lots are zoned Residential R3-163-h permitting single detached units with one unit on each lot.

Since 2009, the Town has enacted a new Comprehensive Zoning By-law 2018-65 which places Lots 14, 15, 16 Plan 16M-24 in the Residential R2-41 Zone which permits duplex, semi-detached, tri-plex, and multi-attached units. Exception 41 recognizes a maximum of 15 units. This Zoning was based on the Zoning implemented by the Board Order in Attachment #2

Based on the included attachments, the Town will need to complete a review on the history of the two Board Orders to find which is the final order. I have also attached the Board Decision in Attachment #1 which adds some clarity to the issue. However, with By-law 2018-65 in full force and effect, the current zoning of Residential R2-41 is in effect until a By-law Amendment can be considered and a decision made by Council. Planning Staff intend to bring a series of housekeeping amendments to Council in July to review a number of matters. The Zoning for Lots 14, 15, 16 will be included in this review. Notice of the July Public Meeting will be circulated in two weeks and a copy will be sent to you for your review.

Should you have any questions, please contact me anytime.

Shawn

**Shawn Postma**, BES MCIP RPP  
Senior Policy Planner

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**Town of The Blue Mountains – Planning Services**  
32 Mill Street, PO Box 310, Thornbury, ON N0H 2P0  
Phone: 519-599-3131 ext 248  
[www.thebluemountains.ca](http://www.thebluemountains.ca)
Good Afternoon Corrina

Regarding the proposed housekeeping amendment to 2018-65:

a. Is there any proposed text for item 8?

b. I must object to item 10 in the proposed housekeeping amendment. Apartment buildings should not be removed from the permitted uses of the C1 Zone. Why is this change being proposed?

c. Similar to item 8 how will the specific areas subject to item 14 be determined?

d. Please provide more specific details on item 15. Example - Are these lands to be rezoned from Hazard to R1-1 and if so, why?

I understand a public meeting is being held on July 3rd. I request a response to my comments/questions prior to a decision being made on this matter.

Please notify me of any Council decision on this matter.

Thanks

Andrew Pascuzzo MCIP RPP
Pascuzzo Planning Inc. www.pascuzzoinc.ca
243 Hurontario
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Dear MS. Giles,

On behalf of our Client, Matesa Enterprises Inc., we have reviewed the proposed “Housekeeping By-law” to the Town of Blue Mountains Comprehensive Zoning By-law 2018-65, as it pertains to their Draft Approved Plan of Subdivision 42T-2006-04 (Blue Mountain Villas), approved by the OMB on June 12th, 2013, as a result of the Minutes of Settlement reached between the County of Grey, the Town of The Blue Mountains and Matesa Enterprises Inc. We note that Item # 6 proposes to “Add a new definition for retaining walls to recognize retaining walls of 1 metre in height as structures.”

During the process of clearing the Conditions of Draft Approval; specifically Condition #8 – “Servicing, Grading and Road Requirements”, it was determined by our consulting engineers, WMI & Associates Limited in conjunction with Town engineering staff, that the proposed layout would render the conceptual drainage and stormwater management plan technically unfeasible and economically prohibitive. Discussions and meetings with Town Planning and Engineering Staff took place to reach an alternate solution and a revised conceptual site plan was derived which was consistent with the changes to the development layout discussed with Staff.

The revised Plan remains a Common Element Condominium development, comprised of seventeen freehold townhouse lots (Lots 1 - 17) contained in two blocks. Each unit has an attached single car garage at the front, with driveway access from King Street.

Block 18 represents the common element lands and is comprised of an internal 4.0m wide access road to accommodate the proposed by-pass storm sewer and by-pass open ditch and allow for future maintenance and repairs thereto. Due to a grading differential, a retaining wall is proposed along the northern limits of Block 18.

The original Draft Plan was approved under the provisions of the (former) Town of Thornbury Zoning By-law 10-77. By-law 10-77 did not have a definition for a structure or retaining wall. Section 6.17(e) does allow “free standing walls” in any yard and does not put a restriction on height or setbacks.

Based on the changes to the Draft Plan, on March 29th, 2018, we submitted a request to the Town to Amend Board the Order & Minutes of Settlement for OMB Case File No.’s PL100598 and PL100677. This submission included a revised Functional Servicing and a Stormwater Management Report. On January 25th, 2019, we received comments from Town and on March 27th, 2019, a meeting was held with Town Planning & Engineering Staff, WMI & Plan Wells to discuss outstanding issues. The Town commented on the meeting notes on April 15th, 2019. WMI is now in the process of responding to the Town’s comments and finalizing their revised reports in order to submit by mid-July, so that the Town can process our request to Amend Board the Order & Minutes of Settlement.

The approval authority for any changes to the Minutes of Settlement is the OMB (LPAT) and as such, we respectfully request that the Blue Mountain Villas development be exempt from Item #6.
contained within the proposed Housekeeping By-law, should it be passed.

Kind regards,
Miriam

Miriam Vasni, MCIP, RPP

Plan Wells Associates,
40 Connor Avenue,
Collingwood, Ontario, L9Y 5K6
Telephone 705 445 7332

www.planwells.com
miriam@planwells.com

Virus-free. www.avg.com
Corrina,

Thank you for this.

I would also like to add the following question/comment for Lora Bay Corporation.

Lora Bay filed an appeal to the LPAT on the passing of the zoning by-law because the Town and Conservation Authority added hazard lands to Lora Bay that were not consistent with the OMB Approvals, Minutes of Settlement, Master Development Agreements or Previous zoning with no justification for the Hazard zone expansions.

As the Town is now completing “housekeeping” matters on the new ZBA, we would ask that the Conservation Authority and Town either re-instate the limits of hazard lands as approved by the OMB or provide an adequate justification for the expansion.

Please note that the expansion of Hazard lands on Hole 9 are in fact a man made water feature that is fed by a pump and not a creek. If we turn off the pump there is no water.

Thank you

Ken

Kenneth S. Hale, RPP, MCIP
Vice President, Land Development and Acquisitions
Dunn Capital Corporation
HarbourEdge Centre
40 Huron Street, Suite 300
Collingwood, Ontario
Canada L9Y 4R3
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Good afternoon Mr. Hale,
I acknowledge receipt of your comments in response to the July 3 Public Meeting Notice and confirm I have forwarded the same to Council for their information and consideration. Your comments will be included in the record of the July 3 Public Meeting, and attached to a followup staff report regarding this matter.

Kind regards,

Corrina Giles, CMO
Town Clerk
Town of The Blue Mountains
32 Mill Street, P.O. Box 310
Thornbury, Ontario
N0H 2P0
Tel: 519-599-3131 ext 232
Toll Free: 1-888-258-6867
Fax: 519-599-7723

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Good afternoon Corrina,

Dunn Capital Corporation, Lora Bay Corporation, Georgian Bay Club, Georgian Bay Estates Limited Partnership and 11 Bay Street adopt Pascuzzo Planning submission below.

In addition, we object to Item 6. Retaining walls should not be subject to the same setback
requirements as buildings. These structures are often required in the setback areas in order for a lot to be useable. In other words, defining retaining walls as structures has the potential to sterilize lots from receiving building permits.

Please circulate us on any future communications.

Regards

Ken

Kenneth S. Hale, RPP, MCIP
Vice President, Land Development and Acquisitions
Dunn Capital Corporation
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40 Huron Street, Suite 300
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khale@dunncap.ca

From: Andrew Pascuzzo <andrew@pascuzzoinc.ca>
Sent: June 20, 2019 12:56 PM
To: [redacted]
P: [redacted]
P: [redacted]
Subject: housekeeping amendment

Good Afternoon Corrina

Regarding the proposed housekeeping amendment to 2018-65:

a. Is there any proposed text for item 8?

b. I must object to item 10 in the proposed housekeeping amendment. Apartment buildings should not be removed from the permitted uses of the C1 Zone. Why is this change being proposed?
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Please notify me of any Council decision on this matter.

Thanks

Andrew Pascuzzo MCIP RPP
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Good Afternoon Mr. Postma,

The NVCA have reviewed the proposed Zoning By-law Amendments and have no comments at this time.

Sincerely,

Amy Knapp

Nottawasaga Valley Conservation Authority
8195 8th Line, Utopia, ON L0M 1T0
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aknapp@nvca.on.ca

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From: Shawn Postma [mailto:spostma@thebluemountains.ca]
Sent: Thursday, June 6, 2019 1:56 PM
To: Shawn Postma
Subject: Notice of Proposed Zoning By-law Amendments: (1) Housekeeping Changes (2) Short Term Accommodation Uses

Please find attached two notices for upcoming public meetings in the Town of The Blue Mountains.

Notice 1: Proposed Housekeeping Amendments to the new Blue Mountains Comprehensive Zoning By-law 2018-65

Notice 2: Proposed Short Term Accommodation Zone regulations to be inserted into the new Blue Mountains Comprehensive Zoning By-law 2018-65

Shawn

Shawn Postma, BES MCIP RPP
Senior Policy Planner