A. Recommendations

THAT Council receive Staff Report PDS.19.118, entitled “116 Campbell Crescent – Re-zoning for Bed and Breakfast – Follow-up Report”;

AND THAT Council enact a Zoning By-law Amendment to include a Bed and Breakfast Establishment up to three (3) guest rooms as an additional permitted accessory use for the subject lands.

B. Overview

The purpose of this report is to provide Council with an update with respect to the above noted file. The Owner has now provided confirmation of their primary residence for the subject lands and are seeking Council approval for the proposed use.

Noteworthy, is that Council passed a resolution on July 15, 2019, stating that “Council will not consider any new site-specific re-zoning applications for Bed and Breakfast Establishments until the sooner of new policy recommendations being in place, or July 1st, 2020”. The subject application was deemed to be complete on December 6, 2018, and as such is not considered to be a ‘new’ application for the purpose of the above noted resolution.

C. Executive Summary

Application File # P2688

Application Received Date: November 6, 2018

Application Deemed Complete Date: December 6, 2018

Public Meeting Date: January 14, 2019

First Staff Recommendation Report Date: May 6, 2019
Official Plan Designation: BMVRA-LDR

Zoning Bylaw Designation: R1-1

Location: 116 Campbell Crescent

D. Background

This application has been subject to a Public Meeting and a Recommendation Report was brought forward to Committee of the Whole on May 6, 2019. At that time the Committee was not satisfied that the lands were the applicant’s primary residence and did not make a decision on the file. The applicant has now provided confirmation of their primary residence being 116 Campbell Crescent and is seeking a decision on the application.

Planning Staff’s recommendation remains to grant the proposed Zoning Amendment, as outlined in PDS.19.22 provided to Committee on May 6, 2019. Site Plan Approval is pending approval of the requested Zoning By-law amendment.

E. Analysis

All relevant analysis of the applicable planning policies is outlined in Recommendation Report PDS.19.22 (see Attachment 2). No further analysis is required, and confirmation of the primary residence has been provided as required and requested by Council at the May 6, 2019, Committee of the Whole meeting. Confirmation of primary residence has been provided by the applicant by demonstrating that they have changed their primary address to 116 Campbell Crescent on their provincial Driver’s Licenses and Health Cards.

F. The Blue Mountains Strategic Plan

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

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

G. Environmental Impacts

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

H. Financial Impact

There are no adverse financial impacts to the Municipality anticipated as a result of approval of this application. However, additional costs may be incurred by the Municipality in the event that the decision of Council be appealed to the Local Planning Appeal Tribunal.
I. In consultation with

Nil.

J. 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 January 14, 2019.

K. Attached

1. Attachment 1 – PDS.19.22

Respectfully submitted,

Travis Sandberg, Planner I

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

For more information, please contact:
Travis Sandberg, Planner I
planning@thebluemountains.ca
519-599-3131 extension 283
Staff Report
Planning and Development Services – Planning Division

Report To: Committee of the Whole
Meeting Date: May 6, 2019
Report Number: PDS.19.22
Subject: Recommendation Report - Proposed Zoning By-law Amendment- Bed and Breakfast (116 Campbell Crescent)
Prepared by: Travis Sandberg, Planner I

A. Recommendations

THAT Council receive Staff Report PDS.19.22, entitled “Recommendation Report - Proposed Zoning By-law Amendment- Bed and Breakfast (116 Campbell Crescent)”; AND

THAT Council enact a Zoning By-law Amendment to include a Bed and Breakfast Establishment up to three (3) guest rooms as an additional permitted accessory use for the subject lands.

B. Overview

The purpose of this report is to provide a summary of the comments received as a result of the public meeting held on January 19, 2019, and to provide recommendations to Council with respect to the proposal.

C. Background

The application proposes to establish a Bed and Breakfast as an additional permitted use of the subject lands, municipally known as 116 Campbell Crescent. The application was subject to a Public Meeting held on January 19, 2019. Preliminary information and a planning policy review was provided to Council prior to the public meeting through Staff Report PDS.19.01 (see Attachment #1).

Public Meeting
A Public Meeting for this application was held on January 19, 2019.

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

- The Historic Saugeen Metis Lands, Resources and Consultation Department;
The Grey Sauble Conservation Authority;
The Town of The Blue Mountains Infrastructure and Public Works Department; and
The County of Grey.

No comments were received from any public agencies in opposition to the application.

Public Comments: The Town received comments from the Owners of eight (8) properties within the 120m circulation area of the Notice of Public Meeting. All received comments are included as Attachment #2 to this report.

The Owners of six (6) properties provided comments expressing concerns with the application, which are summarized into the following general issues:

- The potential for the property to become a Short Term Accommodation Use;
- Parking;
- Control and Precedent for Bed and Breakfast Uses;
- Not in keeping with the original By-law 67-20, as struck with the Weider family in the late 1960’s.

The Owners of two (2) properties provided comments expressing support for the application, which are summarized into the following general comments:

- The new property Owners have completed substantial improvements to the lands;
- The Bed and Breakfast will bring positive economic impact to the community; and
- Will contribute to additional accommodation opportunities for guests and employees.

D. Analysis

This section provides an analysis of the applicable planning policies and legislation affecting Bed and Breakfast establishments in the Municipality.

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. A detailed review of these sections of the Act is provided in Attachment #3 to this report.

Based on review of the pertinent policies, Staff have no concerns with respect to the provisions of the Planning Act.

Provincial Policy Statement

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.

The proposal includes adding an additional accessory Bed and Breakfast use to an existing residential dwelling, with no new lot development being contemplated. Based on review of the pertinent policies, Staff are satisfied that the proposal is consistent with the intent and direction of the Provincial Policy Statement.

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. Within the Escarpment Recreation Area, permitted uses also include those provided for in the Town of The Blue Mountains Official Plan, which includes Bed and Breakfast Establishments as additional permitted uses in a single detached dwelling.

Based on review of the pertinent policies, Staff are satisfied that the proposal maintains the intent and purpose of the Niagara Escarpment Plan.

County 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 review of the pertinent policies, Staff are satisfied that the application maintains the intent and purpose of the County of Grey Official Plan as the proposed use conforms to the permitted uses of the Recreation Resort Area designation.

Town of The Blue Mountains Official Plan

The Town of The Blue Mountains Official Plan designates the subject lands as “Blue Mountain Village Resort Area – Low Density Residential”. The predominant use of land within this designation shall be for residential development. The primary intent is to recognize existing development and to permit single detached dwellings on existing lots in registered plans of subdivision. Bed and Breakfast establishments may be permitted, subject to Section B2.5.1 of the Official Plan. Section B2.5.1 requires Council consideration and approval of a site specific zoning by-law to permit the use, adequate buffering and on-site parking, and consideration of ownership.

The land use designation supports low-density residential uses as well as Bed and Breakfast uses within single detached dwellings. The subject lands is provided adequate amenity space, landscape buffers/screening, and sufficient parking is available to support the proposed use. The applicant has asserted that the dwelling is intended to be their primary residence upon completion of renovations, and cursory review of the submitted site plan indicates that
adequate parking can be provided within the property limits. It is noted that the final parking layout will be confirmed through the site plan approval process.

Based on review of the pertinent policies Staff are satisfied that the proposal maintains the intent and purpose of the Official Plan.

Town of The Blue Mountains Zoning By-law

It is noted that Zoning By-law 2018-65, as approved by Council on November 29, 2018, is currently not in full force and effect due to the receipt of one (1) site specific appeal. Once deemed in full force and effect, Zoning By-law 2018-65 will be effective as of the date of passing. As such, all planning applications are currently being reviewed against the provisions of the current in force by-law and the provisions of the by-law, as approved by Council.

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.

Similar to the provisions of By-law 2018-65, the Former Township of Collingwood Zoning By-law 83-40 zones the subject lands as Residential Third Density (R3), which permits single detached dwellings and accessory uses thereto. Bed and Breakfasts are not permitted as of right in any zone, however, may be included through a site-specific exception to the existing R3 zone provisions, based on the policies of the Official Plan outlined above.

Both of the Zoning By-laws define a Bed and Breakfast Establishment 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”.

The proposal includes the use of up to three (3) bedrooms for the Bed and Breakfast use within the existing dwelling. The existing attached garage and driveway area are capable of accommodating the five (5) required parking spaces for the site (two spaces for the single detached dwelling, and three spaces for the Bed and Breakfast).

Based on review of the submitted site plan, Staff are satisfied that the proposal complies, or is capable of complying, with the provisions of both of the applicable Zoning By-laws. The Site Plan approval process will ensure that any minor compliance matters (i.e. ensuring all parking is provided within the limit of the property boundary) are addressed prior to final site plan approval being granted.

Other Matters

As noted, concerns were raised by area residents in response to the Notice of Public Meeting for the proposal. Through review of the comments received, Staff are satisfied that the
existing planning processes and enforcement measures adequately address the concerns expressed. More specifically:

- Approval of this application **will not permit the use of the property for Short Term Accommodation Uses.** Any property which is subject to the authority of any Zoning By-law may only be utilized for the uses prescribed by said By-law. The standard enforcement regime, which is complaint based, provides for substantial penalties and fines which can be incurred by any property Owner whom operates a non-permitted use on their property. As such, Short Term Accommodation uses, as defined by the Zoning By-law, would not be permitted on the lands similar to a retail store, restaurant, or any other non-prescribed use.

- With respect to parking, Bed and Breakfast Establishments are required to provide one (1) additional parking space for every guest room, in addition to the minimum two (2) spaces which are required for single detached dwellings. In this case, the subject lands are required to provide five (5) spaces for the proposed use. It is worth noting that the existing driveway and attached garage are capable of accommodating five (5) parking spaces in compliance with the zoning by-law requirements without any changes. These five (5) spaces are currently permitted to be utilized for the parking of motor vehicles associated with the single detached dwelling. As such, Planning Staff are satisfied that the proposed Bed and Breakfast use will not increase or otherwise negatively affect the current property or neighbourhood with respect to parking.

- Control and Precedent for Bed and Breakfast Uses: Bed and Breakfast Establishments operate as ‘home based occupations’ and are considered to be primarily residential uses as the Owner/operator must be present during any rental, effectively acting as an on-site manager. Because of this, these uses are considered to be more compatible with low density residential neighbourhoods than other types of commercial accommodations (such as STA or motel). Through consultation with By-law Enforcement Services, it is further noted that staff are not aware of any nuisance complaints related to any Bed and Breakfast uses within the Town.

It is important to note that Planning Applications are generally not precedent setting and every proposal is reviewed on its own individual merit. Notwithstanding this, it is also important to note that the Official Plan permits Bed and Breakfast uses within any single detached dwelling in the Town, subject to Council approval through a site specific zoning by-law amendment. As such, Council has the ultimate ability in all proposals for Bed and Breakfasts to determine if a certain area is saturated with such uses through the review of the zoning amendment application.

- By-law Number 67-20, as passed by the Council of the Former Township of Collingwood on November 16, 1967, established the initial zoning for the subject lands. More specifically, the By-law states that:

  “On each lot on the plan numbered 1 to 127, no land shall be used and no building or structures may be erected, used or altered except for residential purposes and buildings
to not be more than one single family detached dwelling on each of the said lots, with appropriate accessory buildings which shall not be used for human habitation."

The original intent of By-law 67-20 was to establish single detached residential uses on the subject lands, which is consistent with the intent and purpose of the current zoning provisions. Furthermore, the applicable zoning by-laws have been modified and updated since the enactment of By-law 67-20 in order to modernize the land use permissions and to incorporate various accessory use policies, including home occupations. All changes to the comprehensive Zoning By-law were/are subject to comprehensive public review, consultation, and Council approval, and as such, may be considered publicly approved planning documents. As such, the provisions of By-law 67-20 that have or have not been carried forward into today’s zoning, was appropriately completed through a public planning approval process.

Conclusions

The proposed Bed and Breakfast is compatible with the character of the existing neighbourhood and is consistent with, and satisfies, the applicable planning policies effecting such uses. In light of Council direction on Bed and Breakfast applications provided through Certified Resolution attached as Attachment #4, Planning Staff recommend that Council approve the proposed zoning by-law amendment to include a Bed and Breakfast Establishment as a permitted accessory use on the subject lands without any further zoning provisions, such as a Holding (-h) provision. The applicant has submitted a concurrent Site Plan Approval application which is currently under review. Staff are satisfied that the proposal satisfies the applicable planning policies and that the current By-law enforcement mechanisms are sufficient to ensure that the lands are utilized in accordance with the Zoning By-law.

E. The Blue Mountains Strategic Plan

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

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

F. Environmental Impacts

No new development is proposed by this application. As such, there are no adverse environmental impacts anticipated as a result of approval.
G. Financial Impact

There are no adverse financial impacts to the Municipality anticipated as a result of approval of this application. However, additional costs may be incurred by the Municipality in the event that the decision of Council be appealed to the Local Planning Appeal Tribunal.

H. In consultation with

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

I. Public Engagement

The topic of this Staff Report has been the subject of a Public Meeting and/or a Public Information Centre which took place on January 19, 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. Attachment 1 – PDS.19.01 Public Meeting Background and Preliminary Comment Report – Proposed Zoning By-law Amendment – Bed and Breakfast (116 Campbell Crescent);
2. Attachment 2 – Public Meeting Comments;
4. Attachment 4 - Certified Resolution of Council;
5. Attachment 5 – Proposed Draft Zoning By-law.

Respectfully submitted,

Travis Sandberg
Planner I

Nathan Westendorp
Director of Planning and Development Services

For more information, please contact:
Travis Sandberg
planning@thebluemountains.ca
519-599-3131 extension 283
A. Recommendations

THAT Council receive Staff Report PDS.19.01, entitled “Information Report – Proposed Zoning By-law Amendment – Bed and Breakfast (116 Campbell Crescent)” for information purposes only.

B. Overview

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

C. Background

Proposal

The property owners have submitted a zoning by-law amendment application to Planning Services in order to include a Bed and Breakfast as a permitted use of the lands located at 116 Campbell Crescent. The owners have indicated their desire to permanently re-locate to the area and would like to operate the Bed and Breakfast as a home-based business. The current proposal is to utilize three (3) bedrooms as guest rooms within the existing single detached dwelling. A Short Term Accommodation use, as defined by the zoning by-law, is not proposed on the property. Following the public and agency review process, a thorough analysis and staff recommendation will be provided through a future Staff Recommendation Report.
Location and Site Details

**Municipal Address:** 116 Campbell Crescent

**Legal Description:** Lot 31, Plan 915, Town of The Blue Mountains

**Town File Number:** P2688

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

**Municipal Official Plan Designation:** Blue Mountain Village Resort Area - Low Density Residential

**Zoning:** R1-1 (Zoning By-law 2018-65); formerly R3 (per Zoning By-law 83-40)

**Water Services:** Municipal (Existing)

**Wastewater Services:** Municipal (Existing)

**Regulated Area:** Portion of the property is regulated by the Grey Sauble Conservation Authority

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**Figure 1:** Location Key Map

**Figure 2:** Official Plan, 2016

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

**Figure 4:** Aerial Photo
The property is located at 116 Campbell Crescent, in close proximity to the Blue Mountain Resorts Village area. Surrounding land uses are predominantly low density residential uses. The property abuts residential lands to the north and ‘Hazard’ and ‘Open Space’ lands to the south and to the west.

Received Applications

Bed and Breakfast proposals require a rezoning application and a site plan approval application. The Town has received both of the required applications and the proposed site plan is included as Attachment #2 to this information report. The plan includes substantial landscaping improvements, however, no changes to the existing building footprint are proposed. Site Plan approval can only occur if the zoning amendment application is approved by Council.

Planning Policy Review

Planning Act

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

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

Provincial Policy Statement (PPS 2014)

The Provincial Policy Statement provides more detailed policy direction on matters of provincial interests related to land use planning and development. Within the framework of the PPS, the subject lands are located within a 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.
County 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 “Blue Mountain Village Resort Area – Low Density Residential”. The predominant use of land within this designation shall be for residential development. The primary intent is to recognize existing development and to permit single detached dwellings on existing lots in registered plans of subdivision. Bed and Breakfast establishments may be permitted, subject to Section B2.5.1 of the Official Plan. Section B2.5.1 requires Council consideration and approval of a site specific zoning by-law to permit the use, adequate buffering and on-site parking, and consideration of ownership. It has been submitted that the dwelling will be the applicant’s primary residence and that significant landscape improvements are proposed for the site. Through cursory review of the submitted site plan, it appears that adequate parking can be provided within the property limits and the exact parking layout will be confirmed through the site plan approval process.

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

Zoning By-law 2018-65

The Town of The Blue Mountains Zoning By-law 2018-65 zones the subject lands 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 Zoning By-law, provided that the requirements of Section B2.5.1 of the Official Plan can be satisfied through the re-zoning and site plan review process.

Planning Services Comments

Subject to further comments and review, Planning Services have no concerns/objections with the proposal provided that the site plan process ensures that the requirements of Section B2.5.1 of the Official Plan are adequately addressed (i.e. sufficient parking is provided and confirmation of adequate landscape buffers).
D. Analysis

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

E. The Blue Mountains Strategic Plan

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

F. Environmental Impacts

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

G. Financial Impact

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

H. In consultation with

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

I. Public Engagement

The topic of this Staff Report is the subject of a Public Meeting taking place on January 14, 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. Proposed Site Plan
3. Planning Policy Review

Respectfully submitted,
Committee of the Whole
PDS.19.01

Travis Sandberg
Planner 1

Nathan Westendorp
Director of Planning and Development Services

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

Application for Zoning Amendment

Property Location: 116 Campbell Crescent

Public Meeting: January 14, 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 at 116 Campbell Crescent. The Bed & Breakfast would be owner-operated by the applicant.

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

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

The property is designated Blue Mountain Village Resort Area Low Density Residential in the Town of The Blue Mountains Official Plan.

The legal description of the subject property Lot 31, Plan 915, (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 January 11, 2019 so that they may be read at the public meeting for the benefit of everyone in attendance.

When will a decision be made?

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

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

Want to be notified of a decision?

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

Your rights to appeal a decision:

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

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

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

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

This document can be made available in other accessible formats as soon as practicable upon request.
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 health 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 “Blue Mountain Village Resort Area – Low Density Residential”. As per Section B3.10 of the Plan, the general intent of the Blue Mountain Village Resort Area designations is to:

- **Identify specific policies for the Blue Mountain Village Resort Area wherein the prominent use of the lands shall be for residential, recreational and commercial uses; and**

- **To both complement the existing recreational base and enhance the development of year-round recreational opportunities and facilities.**

Within the Blue Mountain Village Resort Area – Low Density Residential sub-designation, the predominant use of land shall be for residential development. As per Section B3.10.4.1 of the Plan, the permitted uses and policies within this designation are as follows:

a) **The primary intent is to recognize existing development and to permit single detached residential dwellings on existing lots in registered plans of subdivision;**

b) **New lots for single detached residential may be created on an infilling basis in accordance with the policies for infilling in Section B3.1.5.2; and**

c) **Bed and Breakfast establishments may be permitted subject to Section B2.5.1.**
Section B2.5.1 of the Official Plan provides policy requirements for establishing a bed and breakfast use within an existing single detached residential dwelling, where permitted by the applicable land use designation. The requirements include:

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

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

**Zoning By-law 2018-65**

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

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

The application proposes to add a Bed and Breakfast use to the permitted uses for the existing single detached dwelling. Based on preliminary review there does not appear to be any significant issues/concerns with respect to Zoning By-law 2018-65, provided that the requirements of Section B3.1.5.2 of the Official Plan can be satisfied through the re-zoning and site plan review process.
January 11th, 2019

Travis Sandberg, Planner I  
Town of Blue Mountains  
PO Box 310 – 32 Mill Street  
Thornbury, ON  
N0H 2P0  
*Sent via E-mail

RE: Zoning By-law Amendment ZBA  
Lot 31, Plan 915 (116 Campbell Crescent)  
Town of the Blue Mountains  
Applicant/Owner: Anna and Chedo Stepanovic

Dear Mr. Sandberg,

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 purpose of the subject application is to seek approval to add a “Bed and Breakfast Establishment” use to the existing residential zone applied to the property. A Bed and 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. Note that if this application is approved, it would not permit Short Term Accommodation (STA) uses on these lands.

Schedule A of the OP designated the subject lands as ‘Recreation Resort Area’. Section 2.6.7 of the OP states

(2) New development in the Recreational Resort designation must serve the public interest by contributing to the provision of community recreational amenities, by facilitating municipal service infrastructure, and by accommodating existing un-serviced development areas and areas with development potential within the existing designation or settlement area.

(3) The Recreational Resort designation will strive to enhance recreational and tourism related activities by:
(a) Encouraging the maintenance and expansion of existing recreation and tourism related facilities.

The subject application conforms to the above noted policy. Within Recreation Resort Areas, the County OP generally defers detailed development standards to the local OP and/or Secondary Plans.

Appendix A of the OP indicates that the subject property contains a ‘Special Policy Area’. Section 2.8.5 of the OP states,

The Special Policy Area consists of shallow overburden with karst topography. The depth of soil is generally less than one metre over fractured bedrock (karst). In areas identified as Special Policy Area on Appendix A it will be necessary for the proponent of any planning application to address the need of providing an Environmental Impact Study. The objective of the Environmental Impact Study shall be twofold; to determine if in fact that the Special Policy Area (shallow overburden with karst topography) does exist. This may be accomplished simply by on-site test holes.

The proponent shall dig two test holes in the location of a proposed dwelling or business (e.g. in the northwest and southwest corners), one test hole in the location of the proposed sewage system and one test hole in the proposed location of each accessory structure. The test holes shall be inspected by a qualified municipal official or qualified third party consultant capable of determining karst topography. A brief report of the findings shall then be prepared and submitted to the County of Grey and the local Municipality. If the Special Policy Area does exist, a study by a qualified individual shall be prepared to assess the impacts and mitigation measures on the surface and groundwater supply of the planning application. This study will also address the potential hazard associated with unstable bedrock conditions as a result of karst features. The study shall be to the satisfaction of the County of Grey, the local municipality and the appropriate authority designated under the Ontario Building Code for sewage systems.

The subject application is intended to rezone the property for a Bed and Breakfast use and no development is being proposed. Therefore, County planning staff are not recommending test holes to be dug, and have no further concerns at this time.

County Transportation Services has review the subject application and has no concerns or requirements pertaining to this application as it should have no impact to the County Road.
January 11th, 2019

Provided the proposed development can be serviced appropriately, County staff have no further concerns.

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

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
www.grey.ca
December 20, 2018

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

Dear Ms. Giles:

RE: Zoning Application P2688
Applicant: Anna & Chedo Stepanovic
Part of Lot 17, Concession 2; 116 Campbell Crescent
Town of the Blue Mountains, formerly Collingwood Township
Our File: P13613

Subject Proposal
It is our understanding that the subject proposal is seeking a zoning amendment to add a “Bed & Breakfast Establishment” use to the existing residential zone applied to the property.

The Grey Sauble Conservation Authority (GSCA) has reviewed this application in accordance with our mandate and policies for natural hazards, for natural heritage issues as per the Memorandum of Agreement with the Town of The Blue Mountains, and relative to our policies for the implementation of Ontario Regulation 151/06. We offer the following comments.

Site Description
The subject property is located on the east side of Campbell Crescent within the Town of The Blue Mountains, formerly Collingwood Township. A residential dwelling is located on the subject property, while a watercourse runs behind the property parallel to the rear lot line.

GSCA Regulations
A portion of the subject property is regulated under Ontario Regulation 151/06: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses. The regulated area is associated with the above mentioned watercourse and includes a 30 metre regulated allowance from this feature.
Under this regulation a permit is required from this office prior to the construction, reconstruction, erection or placing of a building or structure of any kind; any change to a building or structure that would have the effect of altering the use or potential use of the building or structures, increasing the size of the building or structure, or increasing the number of dwelling units in the building or structure; site grading; or, the temporary or permanent placing, dumping or removal of any material originating on the site or elsewhere, if occurring within the regulated area. Also, a permit is required for interference with a wetland, and/or the straightening, changing, diverting or in any way interfering with an existing channel of a river, lake, creek stream or watercourse.

Provincial Policy Statement (2014)
3.1 Natural Hazards
The natural hazard area identified on the subject property is associated with the above noted watercourse and includes a potential flood prone area. This area is generally depicted on the attached map and is considered not suitable for development.

Natural hazards identified on the subject property are associated with the above noted watercourse and includes a potential flood prone area. This area is generally depicted on the attached map and is considered not suitable for development.

2.1 Natural Heritage
No natural heritage features were identified on the subject property.

Recommendations
We have no objection to the proposed application as the zoning amendment is to allow for an additional use within an existing residential dwelling.

We note that, pending final design, a permit may be required from our office for the proposed deck structure as outlined in the provided landscaping plan.

If any questions should arise, please contact our office.

Regards,

[Signature]

Jacob Kloeze
Planning Technician

enclosure

cc Andrea Matrosovs, Authority Director, Town of The Blue Mountains
Anna Stepanovic, Landowner
GSCA: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses (Ontario Regulation 151/06)

Zoning Application P2688
116 Campbell Crescent
Part of Lot 17, Concession 2
Roll No. 42-42-000-003-160-07
Town of The Blue Mountains (Collingwood Township)
Our File: P13613
Thursday, December 20, 2018
Lori Carscadden

From: Chris Hachey
Sent: December-07-18 2:14 PM
To: Lori Carscadden
Subject: Request for Comments - Blue Mountains (Anna & Chedo Stepanovic) - Proposed Zoning By-law Amendment

Your File: Rezoning (116 Campbell Cres)
Our File: Blue Mountains Municipality

Ms Carscadden,

The Historic Saugeen Metis (HSM) Lands, Resources and Consultation Department has reviewed the relevant documents and have no objection or opposition to the proposed development, land re-designation, zoning, land severance, Official plan and/or Zoning By-law Amendments.

Thank you for the opportunity to review this matter.

Regards,

Chris Hachey
Assistant Coordinator, Lands, Resources and Consultation

Historic Saugeen Métis
204 High Street
Southampton, Ontario, N0H 2L0
Telephone: (519) 483-4000
Fax: (519) 483-4002
Email: [email protected]

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## Notice of Public Meeting

**MEETING DATE:** January 14, 2019  
**DATE CIRCULATED:** Dec 13, 2018

<table>
<thead>
<tr>
<th>PLANNING APPLICATION #</th>
<th>AUTHOR</th>
<th>Date Reviewed</th>
<th>IPW COMMENTS</th>
</tr>
</thead>
</table>
| **116 Campbell Crescent**  
- Anna and Chedo Stpanovic | Reg Russwurm    | Dec 28 2018   | No Comments  |
|                        | Jim McCannell   | Dec 28 2018   |              |
|                        | Allison Kershaw | Dec 28 2018   |              |
|                        | Jeff Fletcher   | Jan 2 2018    |              |
From: anna potvin
Sent: Friday, January 11, 2019 4:46 PM
To: Town Clerk <townclerk@thebluemountains.ca>
Subject: Application for Zoning Amendment Roll No 4242000003160070000 116 Campbell Crescent, The Blue Mountains

Subject: Application for Zoning Amendment Roll No 4242000003160070000 116 Campbell Crescent, The Blue Mountains

Attention: Corina Giles:

I am writing this email as a constituent of the Blue Mountains to voice our concern with regards to the application for Zoning Amendment to allow a Bed and Breakfast on this property identified above.

We currently live on [redacted] from the property in question at 116 Campbell Crescent, Blue Mountains

At present there is a Bed and Breakfast on Carmichael Crescent, and 8 short term rentals (STA’s) in total in Plan 915 (consisting of Carmichael, Campbell, Kinsey and Plater). This number appears to be growing from before and we were advised that there would be no more STA’s in R3 zoning in the Blue Mountains. We live in an expensive neighborhood where one of the STA’s on our street was a problem however the new owners seem to have a better handle on the rental. In the summer it is more of a problem with garbage (beer cans and bottles) thrown around the yard, etc. when everyone is outdoors.

Our concern is:

1. There are no controls in place by the Town to monitor the Bed and Breakfast properties that the owners are in fact at the residence during their guests stay (as we know of some that go away for the weekend and leave a key for them in a lockbox to gain access to the house).

2. There is nothing in place to limit the number of Bed and Breakfast properties there are allowed on each street. We do not want them to get out of hand like the STA’s are. We live in a very nice neighborhood and don’t want to become Bed and Breakfast. I don’t want my street to end up being nothing but Bed and Breakfasts like Brooker Boulevard has extensive STA’s.

3. What ramifications are there if there are problems with the guests staying at the property and the owners are out for the day?

Anna Potvin
Attention: Corina Giles:

I am writing this email as Barb Picot, the Blue Mountains to voice our concern with regards to the application for Zoning Amendment to allow a Bed and Breakfast on this property identified above.

We currently live on [redacted], just a couple houses away from the property in question at 116 Campbell Crescent, Blue Mountains.

At present there is a Bed and Breakfast on Carmichael Crescent, and 8 short term rentals (STA’s) in total in Plan 915 (consisting of Carmichael, Campbell, Kinsey and Plater). This number appears to be growing from before and we were advised that there would be no more STA’s in R3 zoning in the Blue Mountains. We live in an expensive neighborhood where one of the STA’s on our street was a problem however the new owners seem to have a better handle on the rental. In the summer it is more of a problem with garbage (beer cans and bottles) thrown around the yard, etc. when everyone is outdoors.

Our concern is:

1) There are no controls in place by the Town to monitor the Bed and Breakfast properties that the owners are in fact at the residence during their guests stay (as we know of some that go away for the weekend and leave a key for them in a lockbox to gain access to the house).

2) There is nothing in place to limit the number of Bed and Breakfast properties there are allowed on each street. We do not want them to get out of hand like the STA’s are. We live in a very nice neighborhood and don’t want to become Bed and Breakfast. I don’t want my street to end up being nothing but Bed and Breakfasts like Brooker Boulevard has extensive STA’s.

3) What ramifications are there if there are problems with the guests staying at the property and the owners are out for the day?

BARB AND RON PICOT
January 2, 2019

WE the persons named below are not able to attend the Public Meeting and therefore wish to submit our written comments on the above subject:

At this time we are in opposition to the proposed amendment for the following reasons:

At the present time this property is not the primary residence of the applicant so this proposed Bed and Breakfast Establishment could become a rental business with an absentee or part-time proprietor. It could become an illegal STA if the applicant is not on the property 24/7 when paying guests are on the premises.

A Bed and Breakfast is defined as a dwelling that offers up to three guest rooms. If the applicant is a couple with a family there have to be enough rooms to accommodate the number of persons in that family.

There also is the parking capability as no parking is allowed on the street during winter nights. Are there sufficient spaces?

We are of the opinion that when the applicants can prove the property is actually their primary residence - children at local schools, mail delivery etc. then we are willing for this application to be re-considered at a Public Meeting but not at the present time.

We wish to receive a notice of any decision of Council on this proposal at the following address:

Sydney & Doreen Chamberlain, 
William and Joanne Cunningham,
From: Izabela Cunningham [mailto:]
Sent: Tuesday, January 8, 2019 4:32 PM
To: Town Clerk <townclerk@thebluemountains.ca>
Subject: 116 Campbell Cres. (B&B)

To Corrina Giles,
My name is Izabela Cunningham. My family has owned The Town of Blue Mountains since 1975.
My neighbours, Chedo and Anna Stepnuovic reside at 116 Campbell Crescent at The Town of Blue Mountains. They have recently purchased the house and have done a remarkable job at transforming it into a beautiful mountain home enhancing the Neighbour hood. The professional landscaping blends into the natural environment. I was informed that they want to open up a Bed and Breakfast. I couldn’t be happier. Accommodation for employees and guests is sparse. Chedo and Anna are excited and have given their blood, sweat and tears to make their lively home inviting.
Sincerely
Izabela Cunningham
Re: 116 Campbell Crescent and the Zoning By-law

January 6, 2019

Dear Corrina Giles,

We, the owners of [Redacted], do NOT approve the proposal of changing the Zoning By-law from residential to a “Bed & Breakfast Establishment” for the following reasons:

1) It will interfere with the enjoyment of our property.
2) Because of the configuration of the road, cars parked on the street will obstruct the view of the mountain.
3) Excessive noise.
4) Transients will not respect community values.
5) Neighbourhood safety.
6) This will set a precedent for more homes to commercialize the street and destroy the family aspect of the neighbourhood.

We wish to receive a notice of any decision of Council on the proposal.

Yours truly,

[Redacted]

Dr. & Mrs. J. Kawaguchi
Good Evening,

The owners of [Redacted] wanted to communicate our overwhelming support for the application for a bed and breakfast at 116 Campbell Crescent. The new owners of this property have not only increased the value of our homes on this street, they have also beautified our community by fully upgrading the exterior of their home. Extending the ability for them to open a bed and breakfast has a positive economic impact on our community and as an owner of a local small business it is places like this that allow us to operate and bring new money into our community. I feel the owners of this property are extremely responsible and no negative impacts will occur to our community and even if there is a risk, we already have existing bylaws in place to deal with it and therefore there isn't any reasonable rationale to not provide them with this extension. The denial of this application not only has a negative economic impact, it prevents growth and development in our community.
Hi,
I attended the Jan.14/19 meeting on this amendment and also spoke regarding this issue.

On your Notice which I received it states that I must make a request in writing to be notified of any decision in this matter. Is this e-mail sufficient or must I write a letter?

Please advise.
Regards
Kersti Gerol
Attention: Mayor Alan Tsoev and Council

Subject: Application for Zoning Amendment
Property Location: 116 Campbell Crescent

This is my official objection to the proposed application for a zoning amendment to allow a Bed and Breakfast at 116 Campbell Crescent, as well as a request to receive a notice in writing of any decision of Council on this proposal.

First of all, what is to stop the applicant from opening an Air BnB? As I understand it, Air BnB does not require the owner to be present when the Bed and Breakfast is in operation... which in effect turns it into a short-term rental.

For that matter, what is to stop anyone from opening an Air BnB and turning the entire neighborhood into a commercial zone.

If you’ve ever been to resort areas such as Brighton, England, you would have seen entire streets of lovely Victorian homes all turned into B&Bs. Some have even turned the first floor into pub or shop.
Also, I've been to ski resorts out West where entire neighborhoods of single-family homes adjacent to the resort have been turned into short-term rentals ... managed by the resort.

As you know, at least three short-term rentals have been allowed on Campbell Road, all of which have been allowed to operate under the "grandfather" clause, and all of which, in my opinion, should not have been allowed.

The original Agreement By-Law Number 67-70, between Joost Vreeder's Craigleith Development Limited, to be Registered Plan 915 and the Township of Collingwood includes the following:

"... (b) ... no shall any land or any building, structure or erection, therein or thereon, be used for any of the purposes aforesaid, nor as a boarding or rooming house nor for the accommodation of paying guests ..."

Over the years, somehow the original plan for this neighborhood - the plan that we as purchasers bought into - was ignored.

I believe that we have an opportunity to stop this creeping commercialism now, by not allowing the request for
a commercial establishment at 110 Campbell

Also, in the spirit of the original plan, I
would like to see the elimination of
12th, "grandfathering," and any other
loopholes designed to foster commercialism
in Residential Plan # 6715.

Joe Veder obviously had a vision for what
this neighborhood should be. It would be
great if you could return it to us.

Thank you.

Sincerely,
Attention Corina Giles

Sorry for the delay in sending this note but I was away.

I am the owner and resident of my back yard and the applicant back yard are approximately 50 meters apart. I share the concerns raised by Barb Picot in her email.

Collins dictionary defines Bed & Breakfast as.... a system of accommodation in a hotel or guest house, in which you pay for a room for the night and for breakfast the following morning. It is therefore my assumption that approval of this application will include a condition that the house owner must be residing at the house at any time it has house guests. Also the number of rooms rented out is limited to parking availability for its driveway including the owners vehicles.

I was surprised to learn how many STAs there are in our neighborhood and the apparent lack of control over these provided by the Town staff. It should not be up to the neighbors to report problems. I frequently notice the Towns by-law officer driving past my house during the day time hours and perhaps the staff could be monitoring these residences during the evening/night time when more problems occur.

Plan 915 streets are located at the base of Blue Mountain Resort and within walking distance only minutes from the Blue Mountain Village. It has been and continues to be a quiet family oriented neighborhood (myself for the past 38 years). There needs to be a firm limit on the number of Bed and Breakfasts in a neighborhood. What is this number?

There has been much discussion and the Town has expressed concern on the lack of attainable housing available for lower income families/employees. If proper controls are not in place, neighborhoods like ours will soon become areas of STAs and Bed & Breakfasts as people will purchase the houses to convert into these type of units which are more profitable.

Thank you for your time

Phil Kohls
From: Graeme Duncan <resa...@bluemountains.ca>
Date: January 5, 2019 at 11:24:03 AM EST
To: townclerk@thebluemountains.ca
Subject: Application for a Bed and Breakfast Establishment by Anna and Chedo Stepanovic Roll:4242000003160070000

Town Clerk:
Re: Public meeting January 14, 2019 for Zoning Amendment 116 Campbell Crescent

We are not in favour of the above application and wish to comment as follows.

We, as well as other permanent residents of Campbell Crescent, opposed and won a long battle against Short Term Accommodation in our residential neighbourhood (Plan 915). Despite these efforts, three of these dwellings were given grandfather status on our street (without the opportunity for the permanent residents to appeal) and are legally active today on Campbell Crescent. There are still complaints about noise and disruption from these rental units and nothing seems to deter their owners from their continued operation. These units do not enhance the quality of our neighbourhood. We strongly feel that amending the zoning to allow an additional rental property will negatively impact our neighbourhood. We do not want or need more rental accommodation on Campbell Crescent.

We understand that the Town does not consider a Bed and Breakfast Establishment to be a STA. But to the residents of the street, they are the same. The only difference is that when the renters are on the B&B property the owner is supposed to be on site to monitor their behavior. There is nobody responsible for the renters actions when they leave and return to the property. Will these renters respect the surrounding property owners and the nature of the residential neighbourhood? The existing STAs have shown that this is not the case. The establishment of a B&B further erodes the single family residential nature of the street and would allow the first commercial enterprise to exist. If one such establishment is permitted, what will stop others from following?

Establishing that the property is the primary residence of one of the owners is an easy loophole to circumvent. Mr. Stepanovic and his wife and children have not established full time, primary residency. Who will be responsible to confirm that the family is present on all nights that renters are in the dwelling? As owners and proprietors of this establishment, the Stepanovic's sole interest is financial, nobody else on the street benefits. The Stepanovics are the ones who will be rewarded by having accommodation available in a quiet established residential area, close to the amenities of Blue Mountain Village. We do not want a business venture of this type on our street.
The people who are permanent primary residential property owners on this street will be directly impacted by this change. Because the current zoning is for single family residential housing, these owners should make this decision. Other owners of long term rentals, STAs, or part time residents will not have to live with the result, and they may view any amendment to the zoning as an opportunity to enhance their own potential future property uses.

The proposed amendment to the zoning is contrary to the original bylaws of the subdivision dated June 7th, 1968. created between the Weider family and the Corporation of the Township of Collingwood (all rentals and business operations contravene this agreement). My husband and I purchased a home in this neighbourhood 15 years ago because of the zoning and because it was a quiet residential area away from the village activities. If we wanted rental Income, or wanted to live in a transient neighbourhood, we would have purchased a condominium unit in the village. If the Town wants more rental accommodation available in the area, they should make this requirement clear to the developers of new properties. The zoning in these new areas could be adjusted accordingly so that purchasers are aware of the potential repercussions of their purchase. It should not be our sole responsibility to defend the zoning of our street every time an application for change is made. The Town has a responsibility to reject these requests based on the existing zoning. The zoning of properties on Campbell Crescent should not be changed.

Why are Bed and Breakfast Establishments excluded from the regulations affecting STAs? Shouldn't the same rules apply, along with the requirement for primary residency? As residents on this street we do not see the difference between a STA, a Bed and Breakfast or an Airbnb. All are businesses and short term rentals, and they create increased traffic and disturbances any time of the day or night. They should not be permitted in an area zoned for single family homes.

How far will these changes go before we have totally eroded the essence of a single family residential area?

We would like to receive a notice of any decision of Council on this proposal.

Please acknowledge receipt of this email.

Signed:
Jill and Graeme Duncan
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, Planning Staff are satisfied that the proposal is consistent with the intent and direction of 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. Planning Staff are satisfied that the proposal is consistent with the intent and direction of 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. Planning Staff are satisfied that the proposal is consistent with the intent and direction of 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. Further to the uses explicitly listed under the Escarpment Recreation Area policies, Section 1.8.3(17) of the Plan further permits uses as provided for in the Town of The Blue Mountains Official Plan (as approved by the County of Grey on December 10, 2004) and any subsequent amendments, where such amendments are not in conflict with the Niagara Escarpment Plan.

The Niagara Escarpment Plan defines a Bed and Breakfast use as:

“Sleeping accommodation (including breakfast and other meals, services, facilities and amenities for the exclusive use of guests) for the travelling or vacationing public within an existing single dwelling that is the principal residence of the proprietor. A bed and breakfast in an existing single dwelling of local heritage value or interest must retain the features that cause it to be designated of local heritage value or interest.”
The application proposes to include a Bed and Breakfast as an accessory use to the existing single detached dwelling on the lands and does not propose any additional development on the lot. As Bed and Breakfasts are a permitted use of the lands, Planning Staff are satisfied that the proposal is consistent with the intent and direction of 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 accessory 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, Planning Staff are satisfied that the proposal conforms to the intent and direction of the 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 “*Blue Mountain Village Resort Area – Low Density Residential*”. As per Section B3.10 of the Plan, the general intent of the *Blue Mountain Village Resort Area* designations is to:

- Identify specific policies for the Blue Mountain Village Resort Area wherein the prominent use of the lands shall be for residential, recreational and commercial uses; and
- To both complement the existing recreational base and enhance the development of year-round recreational opportunities and facilities.
Within the *Blue Mountain Village Resort Area – Low Density Residential* sub-designation, the predominant use of land shall be for residential development. As per Section B3.10.4.1 of the Plan, the permitted uses and policies within this designation are as follows:

   a) *The primary intent is to recognize existing development and to permit single detached residential dwellings on existing lots in registered plans of subdivision;*

   b) New lots for single detached residential may be created on an infilling basis in accordance with the policies for infilling in Section B3.1.5.2; and

   c) *Bed and Breakfast establishments may be permitted subject to Section B2.5.1.*

Section B2.5.1 of the Official Plan provides policy requirements for establishing a bed and breakfast use within an existing single detached residential dwelling, where permitted by the applicable land use designation. The requirements include:

- An *amendment to the implementing Zoning By-law will be required to permit the use;*

- *Bed and breakfast uses should not be permitted unless the owner of the dwelling resides in the dwelling while the dwelling is operating;*

- *That the use of the single detached residential dwelling for a bed and breakfast use shall not be detrimental to any adjacent use. Where necessary, neighbouring uses will be protected by the provision of areas for landscaping, buffering or screening, of buildings, structures or uses, so as to reduce any detrimental affect caused by the use of the dwelling as a bed and breakfast establishment;*

- *That adequate parking facilities over and above the parking requirement for single detached residential dwellings are available which shall be a minimum of one additional parking space per guest room; and*

- *That bed and breakfast uses may be subject to site plan control.*

Planning Staff are satisfied that the proposal conforms to the intent and direction of the Municipal Official Plan as the proposed site plan includes significant landscaping improvements to mitigate impact on neighbouring properties. The subject lands are also directly adjacent to public open space areas, which further reduces the potential direct impact on other residential properties in the area. Prior to operation of the Bed and Breakfast Establishment, the owners/applicants will be required to reside in the dwelling. Should the establishment operate out of compliance with the requirements for Bed and Breakfasts, then the owner may be subject to fines and penalties under the Provincial Offences Act, Planning Act, or Municipal Act, as appropriate.

Planning Staff are satisfied that the proposal conforms to the intent and direction of 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 of the submitted site plan application, adequate parking is available for the proposed use in accordance with the Zoning By-law, and adequate landscaping is provided to buffer the use from adjacent property owners.

Planning Staff are satisfied that the proposal complies with the intent and direction of Zoning By-law 2018-65.
January 30, 2019

Moved by: Rob Potter  Seconded by: Jim Uram

THAT Council receive Staff Report PDS.19.01, entitled “Public Meeting Background and Preliminary Comment Report – Proposed Zoning By-law Amendment – Bed and Breakfast (116 Campbell Crescent)” for information purposes only, CARRIED.

CERTIFIED TO BE A TRUE COPY

Krista Royal, Deputy Clerk
The Corporation of the Town of The Blue Mountains

By-Law Number 2019 –

Being a By-law to amend Zoning By-law No. 83-40 which may be cited as "The Township of Collingwood Zoning By-law"

Whereas the Council of The Corporation of the Town of The Blue Mountains deems it necessary in the public interest to pass a by-law to amend By-law No. 83-40;

And Whereas pursuant to the provisions of Section 34 of the Planning Act, 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. Map 25 to Schedule “A” of the Township of Collingwood Zoning By-law 83-40 is amended by rezoning those lands known as Lot 31, Plan 915 in the Town of The Blue Mountains, from Residential Third Density (R3) to the Residential Third Density Exception 290 (R3-290) Zone, as shown on the key map Schedule “A-1”

2. Section 32 of the Township of Collingwood Zoning By-law 83-40 is further amended by adding the following subsection:

   “290. The property zoned R3-290 is also permitted a “Bed and Breakfast Establishment,” with a maximum of three (3) guest rooms, inside the existing dwelling (Lot 31, Plan 915)”

1. That Schedule ‘A-1’ is declared to form part of this By-law.

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

Enacted and passed this 13th day of May, 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 13th day of May, 2019.

Dated at the Town of The Blue Mountains, this 13th day of May, 2019.

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

By-Law No.__________

Legend

- Subject Lands of this Amendment
- Area to be rezoned from R3 to R3-290

Legend

- Subject Lands of this Amendment
- Area to be rezoned from R3 to R3-290

Legend

- Subject Lands of this Amendment
- Area to be rezoned from R3 to R3-290
The Corporation of the Town of The Blue Mountains

By-Law Number 2019 –

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

Whereas the Council of The Corporation of the Town of The Blue Mountains deems it necessary in the public interest to pass a by-law to amend By-law No. 2018-65;

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

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

1. Schedule ‘A’ of The Blue Mountains Zoning By-law 2018-65 is amended by rezoning those lands known as Lot 31, Plan 915 in the Town of The Blue Mountains, from Residential One (R1-1) to the Residential One Exception 9 (R1-1-9) Zone, as shown on the key map Schedule “A-1”

2. That Schedule ‘A-1’ is declared to form part of this By-law.

Enacted and passed this 13th day of May, 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 13th day of May, 2019.

Dated at the Town of The Blue Mountains, this 13th day of May, 2019.

___________________________
Corrina Giles, Clerk