A. Recommendations

THAT Council receive Staff Report PDS.19.117, entitled “160 Grand Cypress – Re-zoning for Bed and Breakfast”;

AND THAT Council enact a Zoning By-law Amendment to include a Bed and Breakfast Establishment up to a maximum of three (3) bedrooms as a permitted accessory use of the 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 July 3, 2019, and to provide recommendations to Council with respect to the proposal.

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 May 30, 2019, and as such is not considered to be a ‘new’ application for the purpose of the above noted resolution.

C. Executive Summary

Application File # P2740

Application Received Date: April 23, 2019

Application Deemed Complete Date: May 30, 2019

Official Plan Designation: Residential Recreation Area (RRA)

Zoning Bylaw Designation: R1-1

Location: 160 Grand Cypress Lane, Town of The Blue Mountains
Planning Staff received an application for a proposed Zoning by-law Amendment to establish a Bed and Breakfast as an additional accessory use of the subject lands. The proposal was subject to a Public Meeting on July 3, 2019.

D. Background

The applicant proposes to establish a Bed and Breakfast use as an additional permitted accessory use of the subject lands. The applicant currently resides in the existing single detached dwelling on the property. The application has been subject to a Public Meeting, held on July 3, 2019. Preliminary information and planning policy review was provided to Council at the Public Meeting through Staff Report PDS.19.81 (See Attachment #1).

Public Meeting

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

- The Historic Saugeen Metis Lands, Resource and Consultation Department;
- The Grey Sauble Conservation Authority; and
- The County of Grey Planning and Development Services Department.

Public Comments: Comments were received from the public indicating various concerns with the application. Comments were also received in support of the application. A table summarizing all comments received are included as Attachment #2 to this report.

The nature of the comments received in opposition to the proposal are summarized into the following general issues:

- Area is not zoned for businesses. Approval for a Bed and Breakfast will allow for Short Term Accommodations in the area;
- Bed and Breakfast is a commercial use;
- Increased traffic;
- Negative impact on property values;
- Increase of strangers in the area;
- Parking;
- Restrictive Covenants in the Monterra Estates Subdivision.

E. Analysis

The Public Meeting information report (Attachment #1) outlined the Planning Act, Provincial Policy Statement, Official Plan, and Zoning By-law policies that apply to this application. The Zoning By-law amendment is supported by the Town’s Official Plan policies, which permit Bed and Breakfast Establishments on residential properties, subject to a site-specific zoning amendment. Planning Staff did not identify any policy concerns as a result of the Public
Meeting and remain satisfied that the application complies with the applicable planning policies.

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 policies, 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**, as defined by the Zoning By-law. 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 subject lands **are not permitted for Short Term Accommodation uses**, as defined by the Zoning 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. 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 and traffic, 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 can accommodate five (5) parking spaces in compliance with the zoning by-law requirements without any changes.

  The five (5) spaces described above are currently permitted to be utilized for the parking of motor vehicles associated with the single detached dwelling. Planning Staff are satisfied that the proposed Bed and Breakfast use will not increase or otherwise adversely affect the current property or neighbourhood with respect to parking or traffic, as there is no increase over and above that which is currently permitted for the primary residential use.

- Commercial Uses in Residential Areas: Bed and Breakfast Establishments operate as ‘home based occupations’ and are considered as accessory uses to the primary use of the lands for Residential purposes. 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 the Official Plan permits Bed and Breakfast Establishments within any single detached dwelling in the Town, subject to Council approval through a
site-specific zoning by-law amendment. Council has discretion in approving any Bed and Breakfast use. The Site Plan process and execution of a Site Plan Agreement will further ensure that the operation of the Bed and Breakfast Establishment occurs only when the owner is present at the residence.

- **Restrictive Covenants:** The restrictive covenants registered on-title of the properties within the Monterra Estate subdivision are civil covenants. As such, the Town is not party to the covenants, nor responsible for enforcing them. Notwithstanding this, Council requested that an opinion be sought from the successors of Monterra Estates Inc. to obtain comments with respect to the proposal at hand. The successor to the covenants is Blue Mountain Resorts and the applicant obtained an opinion letter from Travis and Associates, planning consultant representing Blue Mountain Resorts. This opinion letter, attached as Attachment #3, states that Blue Mountain Resorts has no concern with the proposed Bed and Breakfast for the subject lands on the basis of use and location.

**Conclusions**

The proposed Bed and Breakfast Establishment is permitted by and conforms to applicable Provincial, County, and Municipal planning policy direction. Further, the proposed use is compatible with the residential character of the neighbourhood and no new site alteration or development is required to facilitate the use. The applicant has submitted a concurrent Site Plan Approval application which has been reviewed by Staff. Planning 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.

**F. The Blue Mountains Strategic Plan**

<table>
<thead>
<tr>
<th>Goal #1:</th>
<th>Create Opportunities for Sustainability</th>
</tr>
</thead>
<tbody>
<tr>
<td>Objective #2:</td>
<td>Attract New Business</td>
</tr>
<tr>
<td>Objective #3:</td>
<td>Promote a Diversified Economy</td>
</tr>
<tr>
<td>Objective #5:</td>
<td>Improved Visibility and Local Identity</td>
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<table>
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<tr>
<th>Goal #3:</th>
<th>Support Healthy Lifestyles</th>
</tr>
</thead>
<tbody>
<tr>
<td>Objective #3:</td>
<td>Manage Growth and Promote Smart Growth</td>
</tr>
</tbody>
</table>

**G. Environmental Impacts**

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

**H. Financial Impact**

No adverse financial impacts are anticipated as a result of this application.
I. **In consultation with**

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

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 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.

K. **Attached**

1. Attachment 1 - PDS.19.81 160 Grand Cypress Lane - BnB Information Report;
2. Attachment 2 – Public Meeting Comments;
3. Attachment 3 – Opinion Letter, Travis and Associates RE: Restrictive Covenants
4. Attachment 4 – Proposed Draft Zoning By-law

Respectfully submitted,

---

*Travis Sandberg*
Travis Sandberg, Planner I

---

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

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

THAT Council receive Staff Report PDS.19.81, entitled “Information Report – Proposed Zoning By-law Amendment – Bed and Breakfast (160 Grand Cypress Lane)” for information purposes only.

B. Overview

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

C. Background

Proposal

The property owner has submitted a zoning by-law amendment application to Planning Services in order to include a Bed and Breakfast as a permitted use of the lands located at 160 Grand Cypress Lane. The Owner has recently relocated to the area on a permanent basis and would like to operate a home-based business in the form of a Bed and Breakfast. The current proposal is to utilize up to three (3) bedrooms as guest rooms within the existing single detached dwelling. It is further noted that the Owner currently resides in the dwelling subject to this proposal. A Short Term Accommodation use, as defined by the zoning by-law, is not proposed on the property. Following the public and agency review process, a staff recommendation will be provided to Council through a future Staff Recommendation Report.
Location and Site Details

**Municipal Address:** 160 Grand Cypress Lane  
**Legal Description:** Lot 53, Plan 1078, Town of The Blue Mountains  
**Town File Number:** P2740  
**County of Grey Official Plan Designation:** Recreation Resort Area  
**Municipal Official Plan Designation:** Residential Recreation Area  
**Zoning:** Residential (R1-1)  
**Water Services:** Municipal (Existing)  
**Wastewater Services:** Municipal (Existing)  
**Regulated Area:** The property is identified as being within an area regulated by the Grey Sauble Conservation Authority

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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 160 Grand Cypress Lane in the general vicinity of the Blue Mountain Resorts Village area and the Monterra Golf Course. Surrounding land uses are predominantly low density residential uses.

**Received Applications**

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

**Planning Policy Review**

**Planning Act**

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

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

**Provincial Policy Statement (PPS 2014)**

The Provincial Policy Statement provides more detailed policy direction on matters of provincial interests related to land use planning and development. Within the framework of the PPS, the subject lands are located within a settlement area. The PPS supports a wide range and density of uses within settlement areas and acknowledges these areas as the focus for growth and development and that their vitality and regeneration shall be promoted.

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

**Niagara Escarpment Plan**

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

Based on a preliminary review, there does not appear to be significant issues/concerns with respect to the Niagara Escarpment Plan.
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 “Residential Recreation Area”. The intent of this designation is to recognize areas within the Town where there is a mix of seasonal and permanent residential and recreational uses and to recognize areas where some residential uses are located to support and provide access to resort and recreational amenities.

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

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

Zoning By-law 2018-65

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

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

Planning Services Comments

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

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

E. The Blue Mountains Strategic Plan

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

F. Environmental Impacts

No adverse impact to the environment are anticipated as a result of this application.

G. Financial Impact

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

H. In consultation with

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

I. Public Engagement

The topic of this Staff Report is the subject of a Public Meeting taking place on 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. Planning Policy Review
Respectfully submitted,

Travis Sandberg  
Planner 1

Nathan Westendorp  
Director of Planning and Development Services

For more information, please contact:  
Travis Sandberg  
planning@thebluemountains.ca  
519-599-3131 extension 283
June 25, 2019

Town Clerk, Corrina Giles
32 Mill Street, Box 310
Thornbury ON NOH 2P0

I am in receipt of the Notice of Public Meeting regarding an application for a zoning amendment that would accommodate the operation of a bed and breakfast establishment, located at 160 Grand Cypress Lane.

I have lived on a full-time basis a few doors west of the subject location since October 5, 2007.

My selection process focused on finding a quiet, private, single-family residential development far enough away from the resort atmosphere of the Blue Mountains ski area, and outside of the limits of the Town of Collingwood. Another priority was to live in an area where property values were likely to appreciate over time. I was satisfied that this would be the case, because of the obvious pride of ownership exemplified by the other homes in the development and the Covenants and Restrictions annexed to the Transfer/Deed of Land that I signed on purchase.

I was convinced that Monterra Estates was the perfect spot to accomplish these goals, and to this day, those priority goals have been realized.

A Bed and Breakfast Establishment does not, in any way, fit the definition of a Private Residence use.

In my opinion, it is still a Short Term Accommodation (STA), regardless whether the owner resides full time on the property. The same reasons that led Blue Mountains to designate specific areas for STA use, are the same reasons that this particular Application should be denied for this particular residential development.

I also believe that there is no shortage of other options for the tourist market to find accommodation in the Blue Mountains area.

Breaking the Monterra Estates development model to allow the subject Application, is totally unnecessary to the needs and desires of the community at large, and most certainly, to Monterra Estate homeowners.

Therefore, I strongly object to an approval of the Application for Zoning Amendment to allow a Bed and Breakfast Establishment to be located at 160 Grand Cypress Lane in the Town of Blue Mountains.
Please notify me of any developments or decisions in regards to this Application.

Sincerely,

D. Neil McFadgen
We moved to Monterra Estates in 2014 and were immediately impressed with the welcoming nature of the place. Monterra Estates is small, made up of two streets, Augusta Crescent and Grand Cypress Lane. It is a cohesive community with an annual summer BBQ and a winter holiday party. Both are widely attended, as are the Annual Gala in support of the Georgian Bay Hospice and the Collingwood Choral Society. Neighbours entertain each other frequently. It is a cohesive, friendly and supportive community.

That is why we were so surprised to learn that a relatively new member of our community wanted to convert a house to a business enterprise. A Bed and Breakfast offers a short term rental of a room in a house, with breakfast thrown in. Money is exchanged for this rental. Although otherwise suggested in the appeal, it is indistinguishable from an Airbnb set up where the owner occupies part of a dwelling and rents out the rest on a short term basis. Both are advertised as offering short term rentals in an owner’s home.

The area is not zoned for this business activity. It is intended to be a community of single family dwellings and the individual wishing to convert a house to a business enterprise would have known this before purchasing. It is unfortunate that we must object to this attempt to rezone the community. The introduction of rezoning to accommodate a B and B will provide a foundation for other short term rental organizations to challenge their exclusion from Monterra Estates. Their inclusion will permanently destroy the nature of this community space. Collingwood and the Blue Mountains are replete with zoned areas for this kind of business enterprise and we are surprised that someone wishing to open a business would choose a community not zoned for this kind of activity.

Accordingly, we strongly object to the rezoning of this community and regret that the pleasant and friendly nature of the community has been disrupted. In particular, we regret being put into the position of having to say no to a neighbour.

Andrew and Charlene Miall
Good morning Mr. Dolan,
I acknowledge receipt of your email 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
townclerk@thebluemountains.ca

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Corrina,

My family resides at 151 Grand Cypress Lane and we are STRONGLY opposed to Application for Zoning Amendment for 160 Grand Cypress Lane to operate as a Bed and Breakfast.

This is a QUIET RESIDENTIAL neighbourhood made up of full and weekend residents. We have two young children ages 6 and 8, we do not want to see more traffic or any transient behavior on our street. There are many options for accommodations in the immediate area being so close to Blue Mountain Resort and the Blue Mountain Village. A Bed and Breakfast does not fit the long established character of our neighbourhood.

Kindly keep us informed of any decisions or appeals on this matter.
Regards,

JD
Good afternoon Mr. Hanna,
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 future staff report regarding this matter.

https://thebluemountains.ca/document_viewer.cfm?event_doc=2038

Kind regards,

Corrina Giles, CMO
Town Clerk
Town of The Blue Mountains
32 Mill Street, P.O. Box 310
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Town Clerk, Corrina Giles
32 Mill Street, Box310
Thornbury ON NOH 2P0

I am in receipt of the Notice of Public Meeting regarding an application for a zoning amendment that would accommodate the operation of a bed and breakfast establishment, located at 160 Grand Cypress Lane.

I have lived on a full time basis a few doors away from the subject location since May of 2000.

Our selection process prioritized finding a quiet, single family, non-commercial,
*residential development* far enough away from the resort atmosphere of the Blue Mountain ski area, and outside of the limits of the bustling Town of Collingwood. Another priority was to live in an area where property values were likely to appreciate over time. We were satisfied that this would be the case, because of the obvious pride of ownership exemplified by the other homes in the development.

Monterra Estates, to us, was the perfect spot to accomplish these goal, and to this day, those priority goals have been realized.

A Bed and Breakfast Establishment does not, in any way, fit the definition of a *Single Family, Non-Commercial, Residential* land use.

In our opinion, it is still a Short Term Accommodation (STA), regardless whether the owner resides full time on the property. The same reasons that led Blue Mountains to designate specific areas for STA use, are the same reasons that this particular Application should be denied for this particular residential development.

It is also our opinion, that there is no shortage of other options for the tourist market to find accommodation in the Blue Mountain area.

Breaking the Monterra Estates development model to allow the subject Application, is totally unnecessary to the needs and desires of the community at large, and most certainly, to Monterra Estate homeowners.

We therefore *object strenuously* to an approval of the Application for Zoning Amendment to allow a Bed and Breakfast Establishment to be located at 160 Grand Cypress Lane in the Town of Blue Mountains.

Please notify us of any developments or decisions in regards to this Application.

Sincerely,

Judy and Jim
Good afternoon Mr. Hanna,
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 future staff report regarding this matter.

https://thebluemountains.ca/document_viewer.cfm?event_doc=2038

Kind regards,

Corrina Giles, CMO
Town Clerk
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It is also our opinion, that there is no shortage of other options for the tourist market to find accommodation in the Blue Mountain area.

Breaking the Monterra Estates development model to allow the subject Application, is totally unnecessary to the needs and desires of the community at large, and most certainly, to Monterra Estate homeowners.

We therefore object strenuously to an approval of the Application for Zoning Amendment to allow a Bed and Breakfast Establishment to be located at 160 Grand Cypress Lane in the Town of Blue Mountains.

Please notify us of any developments or decisions in regards to this Application.

Sincerely,

Judy and Jim
Good afternoon Mr. Williams,
I acknowledge receipt of your email 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
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townclerk@thebluemountains.ca

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http://www.thebluemountains.ca/subscribe-for-updates.cfm

Peter
This email was forwarded to me.
I didn’t receive the notice of meeting.
However, I don’t think it is an appropriate use of this property in our neighbourhood.
I’d be concerned it would open the door to more STAs.
I’d appreciate your thoughts on this.
Best regards
Begin forwarded message:

From: Jane Moysey
Date: June 19, 2019 at 8:23:44 PM EDT
To: Jane Moysey
Subject: letter written by Jim Hanna re: 160 Grand Cypress Lane

Jim has written a well worded letter of concern to the Town and authorized us to share it with you. It is prudent to send in your own letter to Town, whether you are for or against the application, so that you are kept in the loop on the result. Jane & Steve

From: Jim Hanna
Sent: June-19-19 4:01 PM
To: townclerk@thebluemountains.ca
Subject: Application for Zoning Amendment-160 Grand Cypress Lane

Town Clerk, Corrina Giles
32 Mill Street, Box310
Thornbury ON NoH 2Po

I am in receipt of the Notice of Public Meeting regarding an application for a zoning amendment that would accommodate the operation of a bed and breakfast establishment, located at 160 Grand Cypress Lane.

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Monterra Estates, to us, was the perfect spot to accomplish these goal, and
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A Bed and Breakfast Establishment does not, in any way, fit the definition of a **Single Family, Non-Commercial, Residential** land use.

In our opinion, it is still a Short Term Accommodation (STA), regardless whether the owner resides full time on the property. The same reasons that led Blue Mountains to designate specific areas for STA use, are the same reasons that this particular Application should be denied for this particular residential development.

It is also our opinion, that there is no shortage of other options for the tourist market to find accommodation in the Blue Mountain area.

Breaking the Monterra Estates development model to allow the subject Application, is totally unnecessary to the needs and desires of the community at large, and most certainly, to Monterra Estate homeowners.

We therefore **object strenuously** to an approval of the Application for Zoning Amendment to allow a Bed and Breakfast Establishment to be located at 160 Grand Cypress Lane in the Town of Blue Mountains.

Please notify us of any developments or decisions in regards to this Application.

Sincerely,

Judy and Jim
Re B&B zoning application 160 Grand Cypress Lane

Dear Ms Giles

I have recently received the Public Notice with respect to the zoning application for the establishment of a B&B at the captioned address.

My wife and I purchased a lot many years ago and then built our residence 153 Grand Cypress Lane in 1998.

The suggestion that our residential neighborhood would be the site of a commercial B&B defies logic and common sense. Under no reasonable definition or interpretation could even an owner occupied B&B be considered to fit the definition of a single family, non-commercial, residential land use.

There is no shortage of accommodations in and around the Blue Mountains - Collingwood area in suitably zoned areas for short term accommodation (STA).

We urge you in the strongest terms to represent the best interests of the Monterra residents and turn down this application.

Kindly keep us informed of developments.

Romas and Ingrid Kartavicius
Re B&B zoning application 160 Grand Cypress Lane

Dear Ms Giles

I have recently received the Public Notice with respect to the zoning application for the establishment of a B&B at the captioned address.

My wife and I purchased a lot many years ago and then built our permanent residence in 2014 taking occupancy in 2015. We are permanent full time residents. The attraction for settling here in the Blue Mountains and in particular Monterra Estates was the quiet and congenial sense of neighborhood. As you are no doubt aware our little enclave consists of two streets of single family residences.

The suggestion that our residential neighborhood would be the site of a commercial B&B defies logic and common sense. Under no reasonable definition or interpretation could even an owner occupied B&B be considered to fit the definition of a single family, non commercial, residential land use.

There is no shortage of accommodations in and around the Blue Mountains – Collingwood area in suitably zoned areas for short term accommodation (STA).

There is simply no viable need nor is the disruption to the character and land values in Monterra Estates a welcome development.

To even open the door to such a notion would be to destroy what took so long to create and is not in keeping with the original vision for Monterra.

We urge you in the strongest terms to represent the best interests of the Monterra residents and turn down this application.

Kindly keep us informed of developments.
Good afternoon Mr. and Mrs. Honey,

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 future 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
townclerk@thebluemountains.ca

Sign up to receive up-to-date Town news, bulletins and departmental information by visiting:
http://www.thebluemountains.ca/subscribe-for-updates.cfm
Sincerely, Robert and Pamela Honey.
Good afternoon Mr. and Mrs. Jones,
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
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To: Corrina Giles, Town Clerk

Dear Corrina:

I am submitting our opposition to the zoning amendment request made by the owners of 160 Grand Cypress Lane for a proposed Bed & Breakfast. We are the owners of 143 Grand Cypress Lane.

We are both professionals in the real estate industry and each have 30 years experience. It is our opinion that this zoning amendment should not be granted. We have many reasons for this opinion, just two of which, for the sake of brevity, are highlighted below:

1. This is a quiet residential neighbourhood for families. This is not a community from which businesses should be run. No one purchased their home thinking that anything other than
residential uses would be allowed. The neighbours are not accustomed to seeing strangers in the area and there is a comfort level with activities such as walking down the street and knowing or being familiar with those whom we pass by. As an example, if this amendment is granted, I will not be comfortable with my daughter going for her walks or runs through the streets of our neighbourhood alone any longer. It is unfair to affect the lifestyle and comfort of the residents in this area by way of introducing transient strangers.

2. This could set a precedent for our neighbourhood, if granted, and more owners could start similar businesses. There are some houses that have been for sale for a very long time and this could present those owners with an alternative option...an unwanted option by the rest of the neighbourhood. B&B’s in our area will undoubtedly bring down the values of our homes as we will go from being a strictly residential/family neighbourhood, to one that is spotted with businesses that attract strangers. If you consult the local real estate agents in the Blue Mountain area, they will confirm this devaluation effect. How is it just for the City to economically affect so many residents in such a negative manner, to economically benefit just a few?

We strongly urge you to take these reasons into consideration. These are effects that make a significant negative impact on our neighbourhood. Please consider the unbalanced advantage for this one homeowner’s economic situation in contrast to the multi-faceted effects this will have on all homeowners within our neighbourhood.

Thank you,

Karen and Andrew Jones
From: Corrina Giles
Sent: Wednesday, June 26, 2019 2:44 PM
To: Allan FERGUSON
Cc: council@council@thebluemountains.ca>; SMT
                      ; Jenny Haines; Travis Sandberg
Subject: RE: Application for Zoning Amendment-160 Grand Cypress Lane

Good afternoon Mr. and Mrs. Ferguson,
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 future 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
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Tel: 519-599-3131 ext 232
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townclerk@thebluemountains.ca

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From: Allan FERGUSON
Sent: Sunday, June 23, 2019 6:11 PM
To: Town Clerk
Subject: Application for Zoning Amendment-160 Grand Cypress Lane

We received this notice regarding the requested change in the Zoning By-laws for this property, to accommodate a Bed and Breakfast operation, **We object to this request**, and any change in the By-Law which currently is zoned as single family, non-commercial, residential. We have lived in Monterra Estates for 14 years. It is a quiet, well kept community of single family homes. The applicant has occupied the property in question for less than 6 months and is attempting to change the nature and atmosphere of our very special
subdivision.
We view this as a form of STA accommodation which is specifically prohibited under the current By-Laws, and any such change would have a major detrimental impact on our community.
Therefore we strongly object to this request to allow any change in the current By-Law.
Please keep us informed of any action or decisions taken by the Council in this matter.
Sincerely,
Alena & Allan Ferguson
Good afternoon Mr. and Mrs. Lowe,
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 future 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
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-----Original Message-----
From: David LOWE
Sent: Monday, June 24, 2019 8:45 PM
To: Town Clerk <townclerk@thebluemountains.ca>
Subject: Zoning Amendment 160 Grand Cypress Lane

Town Clerk, Corrina Giles
32 Mill Street, Box 310
Thornbury ON NOH 2P0

I am in receipt of the Notice of Public Meeting regarding an application for a zoning amendment that would accommodate a Bed and Breakfast at 160 Grand Cypress Lane.

We have lived full time in our residence since 2008, just around the corner from the subject location. Prior to that we lived full time in a residence very near the ski hills. We moved here to get away from the numerous B & B’s and Short Term Accommodation residences. Monterra Estates at that time was smaller, only two roads and far enough from the mountain that we assumed would remain a R1-1 single family, non commercial development.

I am aware that the Town has received letters questioning both the number of B & B’s in the Blue Mountains and also the lack of supervision at some of these establishments that in essence is making them STA’s. This has at times led to excessive noise and some issues with garbage.

We object strenuously to an approval of the Application for Zoning Amendment to allow a Bed and Breakfast to be located at 160 Grand Cypress Lane in the Town of the Blue Mountains. Please do not start changing the the Monterra Estates R1-1 development model.
David and Maggie Lowe
Good afternoon Mr. Bis and Ms. Rodrigues,
I acknowledge receipt of your comments in response to the July 3 Notice of Public Meeting, 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 future 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
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Regards,

Steven Bis & Carolyne Rodrigues
June 26, 2019

Corina Giles
Town Clerk
Town of the Blue Mountains
32 Mill Street
Thornbury Ontario

Application for Zoning Amendment
160 Grand Cypress Lane

This communication shall serve notice regarding the application noted above:

Short Term Rentals vs Bed and Breakfast Establishments- (“B&B’s”) by their very nature are a form of “Short Term Accommodation. It is acknowledged that for the purposes of an Official Community Plan the wording differs, however both offer “Short Term Accommodation”. For purposes of this application, arguably, the only major difference is that a property owner must be on site whilst operating a B&B Establishment. The writer suggests for this application a B&B and a Short Term Rental should be consider as similar facilities.

Many “B&B’s” offer one of a kind accommodation in both unique areas and homes, which are not served by normal commercial businesses. This is not the case for this application.

Residential Area- “Monterra” is removed (7 km +) from the historic area of Collingwood, 2Km from the Blue Mountain village and close to17 km from the enclave of Thornbury. All movement to and from the proposed location is by automobile.

The proposed location is not central or within walking distance to any of the major destinations in our area. Accordingly, the proposed location offers limited to no economic advantage to the immediate commercial area.

Foot Traffic- Monterra has no sidewalks or pedestrian friendly walking areas to complement a B&B establishment. B&B’s are often located in areas suitable for foot traffic, allowing access to local shops, restaurants and activities. Foot traffic is key to increasing the economic value within a community. Sidewalks and easy walking are vital to the B&B concept.

Monterra is connected to the Monterra Golf area of Blue Mountain Resort, the approval of a B&B Establishment may attract customers to the cart paths as a form of a walking path. Use of the cart path is not allowed by Blue Mountain Resort. The current relationship between the residents and Blue Mountain Resort is positive, any changes in this relationship would be highly detrimental to the area presenting a risk to the current positive relationship.

Off Street Parking- is not offered in the Monterra, during the winter season at times driveway access is limited prior to snow removal.

Vehicular Traffic- The access to Monterra is from either Grey Rd. 21 or Monterra Rd. Both are busy roads, only to increase in traffic due to the large scale developments currently under construction. The traffic
within the Monterra area is at or close to peak capacity. Lawn Care and other trades constantly park on the streets within the Monterra area, further restricting normal traffic patterns. Any form of additional traffic or vehicular movement will have a negative effect of the area. Traffic enforcement is non existent.

**Restrictive Covenant**—The Monterra Development is subject to a building scheme, the scheme is a registered on title document, setting out many standards for the area. Some of the articles include parking, fencing, landscaping, finishes, signage and use of property. It is recognized that the enforceability of this document is in question, however it is clear that for the most part the landowners of Monterra have followed the spirit of the covenant. It is an important issue associated with property values and street appeal. A B&B would not be acceptable under the terms and or spirit of the Restrictive Covenant.

**Useable Space**—Many communities in Ontario have set guidelines for useable outdoor property in conjunction with a B&B permit. By example Niagara on the Lake sets the minimum outdoor space requirement for a B&B permit at 45 Sq. Meters in a private area, allowing for an adequate buffer within residential areas. The applicant’s property is an irregular shaped corner lot, offering very limited to no private area as a buffer area for the existing neighbours.

**Valuations**—The Canadian Real Estate Association studies indicate short term accommodation and B&B Establishments have a negative effect on property values. The values in the Monterra area have been positive of late however in many ways have not kept pace with the overall increase of property values within the Georgian Triangle. The potential negatives associated with the proposed B&B would be a major concern to all of the property owners of Monterra.

**Precedent**—Allowing a B&B in an area such as Monterra would be precedent setting. It would allow quiet residential (R-1) areas to have a form of legal short term accommodation. Monterra could possibly become a haven for Short Term Accommodations operating as B&B Establishments. The requirement for the property owner to be on site at the time of the rental, is the major difference between a B&B and a Short Term Accommodation.

The approval of B&B Establishments set a precedent, possibly resulting in a 100 plus short term rental rooms under the guise of B&B Establishments. This certainly would not be positive for our community. It is suggested that a single approval allows any future applicant a strong case to challenge a future applications in either the LPAT or the OMB (recently re-established) in order to obtain an approval. A very costly process for the TBM and its rate payers.

It is hoped that the Council considers all of the important issue noted above and any others in their deliberations of this application.

Hopefully, the final decision on this application follows best practises, focusing on the majority of taxpayer within the Town of the Blue Mountains. It is suggested this methodology should be a driving factor in any decision.

*The facts presented indicate the benefits associated with an approval only benefit the applicant while the other parties (Monterra land owners) and the Town of the Blue Mountains will be laden with a litany of possible disadvantages.*

We thank you for your consideration.
Good afternoon Mr. Kutcy,
I acknowledge receipt of your email and confirm I have forwarded the same to the Town Planner, Travis Sandberg for response.

The names of those providing comments in response to the Notice of Public Meeting will be included in the record of the July 3 Public Meeting, together with a summary of the concerns raised. The comments in their entirety (with the exception of personal information such as addresses, email address and telephone numbers) will be attached to a followup staff report.

Please let me know if you have any other questions.

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
townclerk@thebluemountains.ca

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One other question - can you tell me whether the applicant will receive copies of all of the letters of opposition to her application, or whether she will just receive or be told of the summary and whether the names of people who write the letters will be anonymous?

Thanks again, John
application from Laura Sabourin to run a B&B at her 160 Grand Cypress Lane location - that has now resulted in the Proposed zoning change for B&B in Monterra Estates, 424200000300950000

Thanks very much, John
Good morning Mr. McEwen and Ms. Martin,
I acknowledge receipt of your comments in response to the July 3 Notice of Public Meeting 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
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To Town Clerk: Corrina Giles

We recently received the Notice of Public Meeting concerning an application for a zoning amendment that would permit the operation of a bed and breakfast business at 160 Grand Cypress Lane.

My Husband Vincent McEwan and I, strenuously appose this application for the following reasons:

1. We have an illegal STA operating at 238 Grey Road 21, not more than 200m from our house at 171 Grand Cypress Lane. This has been in operation for 2+ years, the enjoyment of our property both inside
and outside has been diminished by loud music, offensive language, comings and goings at all hours of the night. We have complained to the by law officers and OPP numerous times with NO charges ever being laid nor ANY deterrent being enforced on the home owner. As a neighbourhood of 60+ residents who expressed their opposition to the illegal STA issue why would we ever want to have the addition of a Bed & Breakfast to our community of single family residential homes.

2. 160 Grand Cypress is 200 meters in the opposite direction of the illegal STA at 238 Grey Rd, both properties have pools with outside bar and hot tub facilities. If this is approved, our home will be sandwiched between them both, increasing our already existing discomfort. Monterra Estates is an unacceptable location for ANY commercial operating property.

3. Approval would set an unacceptable precedent; what is to stop others from using their homes as a B&B’s?

4. Having unwelcomed strangers wandering through our close knit neighbourhood is unfathomable.

Please help us maintain the integrity of our close knit neighbourhood.

Respectfully,
Vincent McEwan & Karen Martin
We are in receipt of the Notice of Public Meeting regarding an application for a zoning amendment at 160 Grand Cypress Lane. The purpose of this amendment is to allow the operation of a Bed & Breakfast business.

My wife & I reside at [REDACTED] & have done so since Dec. 15, 2007. We chose this Community (Monterra Estates) in which to build a house for our retirement because it provides all of the amenities that are conducive to retirement life. It is a residential neighbourhood located in a quiet setting away from the commercial areas of both The Town of Blue Mountains & Collingwood.

We are submitting this letter to The Town of Blue Mountains to register our objection to this zoning amendment for the following reasons:

- Monterra Estates is first & foremost a residential area that was designed & developed to cater to residents who want to live in an area out of sight & reach of commercial operations.
- By approving the application for a zoning amendment, that would allow a business to be established in the neighborhood, will have a negative impact on property values for the residents immediately adjacent to the bed & breakfast operation & most assuredly values in the general Monterra Estates development.
- If the zoning amendment is approved it will set a precedents for future application of this nature in the Monterra Estates development which will impose a change in life style for the balance of the residents that located in the area to enjoy the amenities that a residential retirement community has to offer.
- It is our understanding that the proprietor may possibly live out of the country for the winter months. If so, this would be in violation of requirements of owning & operating a bed & breakfast business.
- The operation of a bed & breakfast is tantamount to providing short term rental accommodation. Such accommodation is available in designated areas in The Town of Blue Mountains but it is not allowed in areas zoned as residential. Monterra Estates is a residential area.
- Establishing a Bed & Breakfast will assuredly lend itself to causing increased traffic in the residential community which increases the risk for residents who enjoy leisurely walks in the area as well as for the children who play in the area.

For the above reasons we object to the proposed zoning amendment for the purpose of allowing a Bed & Breakfast business to be established at 160 Grand Cypress Lane in the Monterra Estates. We would appreciate it if you would notify us of any developments or decisions with respect to this application.

Sincerely

Ray & Fran Mount
Good afternoon Mr. and Mrs. Hanna,
I acknowledge receipt of your comments in response to the July 3 Notice of Public Meeting 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
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To: Town Clerk <townclerk@thebluemountains.ca>

Subject: Application for Zoning Amendment @ 160 Grand Cypress Lane

To;
Town Clerk, Corrina Giles
32 Mill Street, Box 310
Thornbury, ON
N0H 2P0

We recently received the Notice of Public Meeting concerning an application for a zoning amendment that would permit the operation of a bed and breakfast business at 160 Grand Cypress Lane.

My wife and I have lived, as full time residents, at [redacted] Lane since June 2001.
Our choice when purchasing in Monterra Estates was that it provided a single family, non commercial development environment. In our opinion a Bed & Breakfast business does not fit that criteria.

Our other reasons for objecting to the approval of this application are:

* Neighbouring property values would likely be adversely affected.

* Approval would set a precedent and potentially result in other similar applications in what has traditionally been a residential community.

* The noise level could become a problem as the property has an outdoor pool, hot tub and bar which could be used as a party area by skiers and summer customers.

* In an area with young families the vehicle traffic would increase potentially by six or more.

* We understand that the property owner may spend winters out of Canada and would not be in residence while the Bed & Breakfast business is operating during that time.

For these reasons we strongly object to an approval of this application for a Zoning Amendment. Please keep us advised of any developments or decisions regarding this matter. Thank you.

Sincerely
Warren and Diane Hanna
This e-mail is intended only for the named recipient(s) and may contain legally privileged and confidential information which is exempt from disclosure under applicable law. Any unauthorized use, distribution or copying is strictly prohibited. If you have received this e-mail in error, or are not the intended recipient, please notify the sender immediately by reply e-mail, and permanently delete the original message. Please be aware that Internet communications are subject to the risk of data corruption and other transmission errors. By submitting your or another individual's personal information to the Town of The Blue Mountains you agree, and confirm your authority from such other individual, to our collection, use and disclosure of such personal information in accordance with the Municipal Freedom of Information and Protection of Privacy Act.
Good afternoon Mr. and Mrs. Weatherhead,
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 future 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
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townclerk@thebluemountains.ca

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From:  Emmet Weatherhead
Sent:  Wednesday, June 26, 2019 10:56 AM
To:  Town Clerk <townclerk@thebluemountains.ca>
Cc:  Emmet Weatherhead
Subject:  Proposed zoning change for B&B in Monterra Estates, 424200000300950000

To:  Blue Mountains Town Clerk, Corrina Giles,  June 26, 2019

We live on the same street as the proposed B&B zoning application at 160 Grand Cypress Lane.

We are strongly opposed to this zoning bylaw change, as it would permit our neighborhood to be used for commercial purposes. We moved to Monterra estates some ten years ago, partially because it is single family dwelling zoned, and a switch to allow commercial activity would open the thin edge of even more of this activity, and very possibly the introduction of short term rentals. This in turn would severely damage the delicate fabric of neighbourhood living.

Please allow us to keep our neighbourhood as it was originally intended.

Thankyou
Emmet and Mary Weatherhead
Good morning Ms. Wilcox,
I acknowledge receipt of your comments in response to the July 3 Notice of Public Meeting 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
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-----Original Message-----
From: Rosemary Wilcox
Sent: Wednesday, June 26, 2019 5:10 PM
To: Town Clerk <townclerk@thebluemountains.ca>
Subject: Application for Zoning Amendment - 160 Grand Cypress Lane

Town Clerk, Corina Giles
32 Mill Street, Box 310,
Thornbury, ON
N0H 2P0

We have been made aware of the Notice of Public Meeting regarding an Application for Zoning Amendment that would accommodate the operation of a bed and breakfast at 160 Grand Cypress Lane.
We have lived in the neighborhood for 12 years. We chose Monterra Estates because it is a quiet, single family, non-commercial, residential neighbourhood and it is primarily made up of full-time residents. A bed and breakfast establishment does NOT fit the definition of a single family, non-commercial, residential neighbourhood.

We, therefore, object strenuously to an approval of the Application for Zoning Amendment to allow a bed and breakfast commercial enterprise at 160 Grand Cypress Lane.

Sincerely,

Rosemary & Bill Wilcox

Sent from my iPad
Good morning Mr. Bornstein,

I acknowledge receipt of your comments in response to the July 3 Notice of Public Meeting 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
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From: Neil Bornstein
Sent: Wednesday, June 26, 2019 10:51 PM
To: Town Clerk <townclerk@thebluemountains.ca>
Subject: Zoning Amendment-160 Grand Cypress Lane

Town Clerk, Corrina Giles
32 Mill Street, Box310
Thornbury ON N0H 2P0

We have become aware of the Notice of Public Meeting regarding an application for a zoning amendment that would accommodate the operation of a bed and breakfast establishment, located at 160 Grand Cypress Lane.

As full time residents of Monterra Estates in The Town of Blue Mountains we are strongly opposed to any form of short term accommodation, including the operation of a bed and breakfast establishment, in our neighborhood.

We understand that the current zoning does not allow for such establishments, and we purchased our land and built our home in this neighborhood on this basis. We find it unacceptable to change the rules at this time as there are many other areas within Blue Mountains that can and do allow
short term accommodation.

Please notify us of any developments or decisions in regards to this Application.

Sincerely,

Neil Bornstein and Sheryl Worth
Good afternoon Ms. Ryan,
I acknowledge receipt of your comments in response to the July 3 Notice of Public Meeting 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
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Subject: Application for Zoning Amendment -160 Grand Cypress Lane

Town Clerk, Corrina Giles
32 Mill Street, Box 310
Thornbury, Ontario L9Y 0K8

I am in receipt of the Notice of Public Meeting regarding an application for a zoning amendment that would accommodate the operation of a bed and breakfast establishment, located at 160 Grand Cypress Lane. I have lived a few doors away from the proposed B&B since August 2014. I echo the thoughts and concerns of my neighbours including the Sharouns and the Hannas.
Please be advised that I too, emphatically and strongly object to an
approval of the Application for Zoning Amendment to allow a Bed and Breakfast Establishment to be located at 160 Grand Cypress Lane in the Town of Blue Mountains.

Please notify me of any developments or decisions in regards to this application.

Sincerely

Elizabeth Ryan
Corrina Giles
32 Mill St. Box 310, Thornbury ON, NOH 2P0
Fax: (519) 599-7723 Email: townclerk@thebluemountains.ca

Letter of Support for rezoning application made by Laura Sabourin
Requesting that 160 Grand Cypress Lane, Blue Mountains, be rezoned to permit
Bed and Breakfast use

I am a Monterra Estates property owner near the subject home and support Ms Sabourin’s application
To operate a Bed and Breakfast establishment with her principal residence.

Sincerely,

[Signature]

Marian Marshall
Good morning Mr. and Mrs. Tilley,
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
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Town Clerk, Corrina Giles

We are registering our strong objection to the application for a zoning amendment that would allow the operation of a bed and breakfast business at 160 Grand Cypress Lane.

As residents of Monterra Estates, we chose to live here because it is close to both Collingwood and the Blue Mountain ski area but without the commercial, tourist, weekend hustle bustle.

A bed and breakfast business does not, in any way, align with the definition of a Single Family, Non Commercial, Residential land use. Blue Mountains has designated specific areas for STA use. Monterra Estates is NOT included in this category. In our opinion, it is still a Short Term Accommodation (STA).

To allow the subject application would be defying and negating the Monterra Estates development
We are a small community of only two streets whose residents are much more than just neighbours. We are a support group for one another and are united in our pride of community. Together, we oppose the approval of the application to allow a business establishment to be located at 160 Grand Cypress Lane.

Please notify us of the decision in regards to this application.

Sincerely,

Jane and Frank Tilley

--

Jane Tilley
My wife and I moved to Monterra Estates almost exactly five years ago after extensive research and the conclusion that we found the perfect place for our retirement. A quiet residential area filled with friendly active people who take pride in our community and love to get together socially to celebrate this wonderful enclave.

Reaction to the new owner of 160 Grand Cypress Lane's application to be able to run a B&B has predictably been met with surprise and disappointment from us and our neighbours, to say the least. Our understanding is that there have been many objections sent in to oppose this application citing many good reasons such as: increased traffic, increased noise, potential parking issues in winter, the potential for a negative impact on property values given studies done by the Canadian Real Estate Association, the precedent an approval of this application would create that may result in additional like operations in this area, and more. These have been mentioned often by others and we agree with all of these concerns, so I will not dwell more on them here.

One thing we do want to point out is that we and many others in the community are very concerned about what the real plans and intentions of the applicant may be as it relates to the B&B. Several people have heard many different stories about what we may expect including whether the B&B will only be run when the owners are on site or whether it will also be operated by someone else who will reside there looking after the owner's dogs and cats and will also run the B&B operation while they are out of the country in the winter. Both versions have been heard by different people. Our understanding is the latter is not allowed. This of course just adds to our concerns as we cannot be confident about what the real nature of the B&B operation may be, if approved. Which begs the question - if we cannot be confident about this and other plans after many recent discussions with the applicant since receiving the Application for Zoning Amendment, how can council feel confident about the applicant's plans and approving this application?

In addition, we are told that The Town of Blue Mountains currently has no set guidelines for the establishment and operation of B&B's in this area, and that the intent is to develop such new guidelines - potentially as an extension of the current guidelines for STA's. What if after these guidelines are developed, the applicant's location does not conform to those new rules? Guidelines may not be critical for B&B's located in a sparsely populated area where it would be unlikely to bother anyone nearby, but surely these guidelines are most important when there are proposals to implement a B&B in more densely populated, purely residential areas, like Monterra Estates, that will definitely be impacted.

Last year, the previous council, after listening to the many voices in this neighbourhood who opposed David Rose's request to lift the reserve on his property to allow it to be split into two parcels for additional development at the corner of Grand Cypress Lane and Grey Road 21, unanimously declined Mr. Rose's application. Some of us we think rightly said, why would you go out of your way to approve an exception to a new resident for a proposed use of his property that no established residents and taxpayers in this neighbourhood approve of because of what we argued would be the negative impacts on the community, Although this is a different situation, we believe there are also many similarities.
We are hopeful that our concerns and the many other concerns the residents of Monterra Estates are expressing resonate with the Town Council and that you will decide to decline this application, in the best interests of our community. With the combination of what we understand is 100% opposition by people writing in letters about this file and the lack of town guidelines to effectively be able to make informed or good decisions on such applications, we cannot understand how or why you would be willing to do otherwise at this time.

John & Darlene Kutcy
Good morning Christopher,

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
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townclerk@thebluemountains.ca

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Hi Corrina,

We have received the Notice of Public Meeting regarding an application for a zoning amendment that would accommodate the operation of a bed and breakfast establishment, located at 160 Grand Cypress Lane.

We own the neighboring property located at 150 Grand Cypress Lane, and we are STRONGLY opposed to Application for Zoning Amendment for 160 Grand Cypress Lane to operate as a Bed and Breakfast.

This is a QUIET RESIDENTIAL neighborhood made up of full-time and weekend residents. We have two young children ages 5 and 7, we do not want to see more traffic or any transient behavior on our street.

In our opinion, this would be a Short Term Accommodation (STA), regardless whether the
owner resides full time on the property. The same reasons that led Blue Mountains to designate specific areas for STA use, are the same reasons that this particular Application should be denied for this particular residential development.

There are many options for accommodations in the immediate area being so close to Blue Mountain Resort and the Blue Mountain Village. A Bed and Breakfast does not fit the long established character of our neighborhood.

Kindly keep us informed of any decisions or appeals on this matter.

Thank you,
Good afternoon Mr. and Mrs. Masterton,
I acknowledge receipt of your comments in response to the July 3 Notice of Public Meeting 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,

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I have received the Notice of Public Meeting regarding an application for a zoning amendment that would accommodate the operation of a bed and breakfast establishment at 160 Grand Cypress Lane.

Almost 8 years ago my husband and I bought our home on Augusta Crescent and have spent most weekends and summers there, just along the road from this corner property that has made the application.
We chose the Monterra estate because we wanted a single family home in a non-commercialized area which did not allow for short term rentals, Airbnb style rentals or any other form of transient short term populations. We did not want to be in a development where people would be renting out their houses without regard for neighbours. We wanted to be in an area where people did not need or want to earn an income from their properties.

A bed and breakfast establishment will introduce transient visitors and thus more traffic (both vehicular and foot) to the small estate where our children play in the street, we interact with neighbours and where a community has developed over time. It would certainly not fit the definition of a single family, non-commercial, residential land use.

Operating as a B&B would mean it is still a Short Term Accommodation (STA), regardless as to whether the owner resides full time on the property. The residents have a pool in the backyard and music is frequently played which can be heard a fair distance up Augusta Crescent. How would that be regulated if B&B guests have access to the facilities? I am sure it would be advertised as having a pool facility...

It is my understanding that Blue Mountains designated certain areas as specifically for STA use. The development of the areas has been done very well and they have plentiful availability at various price points and with a wide variety of accommodation types for tourists visiting the area. The reasons that Blue Mountains did that would therefore be the same reasons that this application should be denied.

Thus we strongly object to an approval of the Application for Zoning Amendment to allow a Bed and Breakfast Establishment to be located at 160 Grand Cypress Lane in the Town of Blue Mountains.

Please notify us of any developments or decisions in regards to this Application.

Sincerely,

Jonathan and Kirsten Masterton

Sent from my iPhone
Good afternoon Mr. and Mrs. Onn,
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,

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-----Original Message-----
From: Susan Onn <Vacation Email Isolation>
Sent: Friday, June 28, 2019 8:40 AM
To: Town Clerk <townclerk@thebluemountains.ca>
Subject: Application for Zoning Amendment at 160 Grand Cypress Lane

To: Town Clerk, Corrine Giles

We are residents in the Monterra Community (Vacation Email Isolation) and are writing to convey our views in regard to the above mentioned Zoning Amendment Application. We are opposed to the idea of licensed Bed and Breakfast establishments being allowed in our neighbourhood of 65 single family, private homes.
As our neighbours did, we bought in this location after careful consideration. We enjoy a community of almost exclusively retired seniors who live in their homes as their primary residence. We are a close-knit group who socialize, contribute in many ways to local charities and help and support one another.
My husband and I strongly oppose short term occupancy of any kind. Allowing businesses to operate in an exclusively residential area doesn’t make sense to us. This opens the door to changing the fabric and value of our lovely neighbourhood.
It’s our hope that this application and any like it be denied.

Thank you for your attention to this matter.
Susan and Dennis Onn
Good afternoon Mr. and Mrs. Walton,
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
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-----Original Message-----
From: Kent
Sent: Friday, June 28, 2019 1:23 PM
To: Town Clerk <townclerk@thebluemountains.ca>
Subject: 160 Grand Cypress Lane

To Whom It May Concern:

It has been brought to our attention that the house at 160 Grand Cypress Lane is being considered for a bed and breakfast that will be operated by an outside supervisor not the owners of the home who will be absentee landlords.

We have lived in Monterra Estates for more than twenty years. Much has changed including the loss of some of the local bylaws set up for our subdivision. However at this point, bending the rules for a bed and breakfast supervised by non residents is going too far.

My wife and I strongly object to this application.

This is a subdivision consisting mainly of retirees who enjoy the quality of a suburban lifestyle. Bed and breakfast visitors unsupervised does not meet our expectations.

We strongly object!

Judy and Kent Walton
Good morning Jan,
I acknowledge receipt of your comments in response to the July 3 Notice of Public Meeting 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
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I support arguments in David Fletcher’s letter ( included )
Have a great weekend,

Jan Damman

Begin forwarded message:

From: DAVID FLETCHER
Date: June 27, 2019 at 10:58:06 AM EDT
To: Jan Damman
Subject: Re: Jan

Sent from my iPhone

On Jun 27, 2019, at 10:57 AM, Jan Damman wrote:

Sent from my iPhone
Good morning Mr. and Mrs. Moysey,
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,

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Please add my name to this letter,
Steve/Jane Moysey

To Town Clerk: Corrina Giles

We recently received the Notice of Public Meeting concerning an application for a zoning amendment that would permit the operation of a bed and breakfast business at 160 Grand Cypress Lane.

My Husband Vincent McEwan and I, strenuously appose this application for the following reasons:
1. We have an illegal STA operating at 238 Grey Road 21, not more than 200m from our house at 171 Grand Cypress Lane. This has been in operation for 2+ years, the enjoyment of our property both inside and outside has been diminished by loud music, offensive language, comings and goings at all hours of the night. We have complained to the by law officers and OPP numerous times with NO charges ever being laid nor ANY deterrent being enforced on the home owner. As a neighbourhood of 60+ residents who expressed their opposition to the illegal STA issue why would we ever want to have the addition of a Bed & Breakfast to our community of single family residential homes.

2. 160 Grand Cypress is 200 meters in the opposite direction of the illegal STA at 238 Grey Rd, both properties have pools with outside bar and hot tub facilities. If this is approved, our home will be sandwiched between them both, increasing our already existing discomfort. Monterra Estates is an unacceptable location for ANY commercial operating property.

3. Approval would set an unacceptable precedent; what is to stop others from using their homes as a B&B’s?

4. Having unwelcomed strangers wandering through our close knit neighbourhood is unfathomable.

Please help us maintain the integrity of our close knit neighbourhood.

Respectfully,
Vincent McEwan & Karen Martin
Good morning Mr. and Mrs. Leyden,
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
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Dear Ms Giles,

My name is Joanne Leyden, my husband (Bob) and I are residents in Monterra Estates in The Blue Mountains and have been for 20 years. I will be in attendance on Wednesday July 3 at the town meeting regarding the rezoning application made by Laura Sabourin requesting that 160 Grand Cypress Lane, Blue Mountains, be rezoned to permit Bed and Breakfast use.

We fully support Ms Sabourin’s application to operate a Bed and Breakfast establishment...
within her principal residence.

As mentioned, I plan on attending the meeting on July 3 and would welcome the opportunity to say a few words.

Sincerely,

Joanne

Joanne & Bob Leyden
Dear Mr. Cowan,

Re: Monterra Estates Phase 1 Covenants
Confirmation of Use or Variance Request

I’ve been asked by Blue Mountain Resort to respond to your July 11, 2019 email concerning the above-noted. We are generally aware of a current application before the Town of The Blue Mountains for permission to operate a Bed and Breakfast operation in a dwelling located in the Monterra Estates Phase 1 subdivision. I can offer the following:

1. By way of background, in the capacity of “Manager of Planning and Development Services” with Blue Mountain Resorts I was directly involved in the Monterra Estates Phase 1 development from about 1988 through to 1998. This involvement included matters ranging from Daft Plan Approval and Plan Registration through to assisting the corporate lawyer in drafting certain aspects of the Purchase and Sale Agreements, in particular many of the covenants and provisos details. In my position, I was charged with the day to day review and administration of the various approvals and agreements including review and approvals for proposed dwellings in light of these agreements.

2. The principal focus and intent of the restrictions concerns the physical design and location of dwellings and buildings on the individual lots in order to: attain reasonable architectural theming throughout the subdivision; respect and account for the adjacent Monterra Golf Course operation and land use, and; ensure development on individual lots complied with the overall grading and drainage plans for the approved subdivision.

3. Paragraph 7, as referred to in your email, is entitled “Dwelling House” and addresses the physical aspects and characteristics of development referred to in point 2 above. Related is Paragraph 9 to the same document and is entitled “Building and Development Locations”. This further details certain physical development requirements and restrictions that are intended to respect the use and operation of the golf course. The subject dwelling house is existing and its physical characteristics and location do not raise any issues for Blue Mountain Resort.

4. Paragraph 8, as referred to in your email, is entitled “Restrictions on Use” and does stipulate that use should be for a private residence and not occupied contrary to municipal provisions. Related is Paragraph 10 to the same document and is entitled “Municipal Regulation”. This expands further on the matter of “Municipal Regulation” as such relates to municipal restrictions affecting construction or occupancy at time of construction or any regulations and restrictions
“subsequently put into effect”. Blue Mountain Resort would be specifically concerned over use of land adjacent to the golf course if such use would impact continued use and operation as a golf course. In this case, no additional building is proposed and the subject property is not abutting the golf course lands. There are no concerns in this regard.

5. The Town’s Zoning By-law 2018-65 as adopted last year, provides a definition for a “Bed and Breakfast Establishment”. Paraphrased, that definition means a dwelling providing temporary occupancy for a fee with such dwelling being the principal residence of the proprietor. Section 4.8 to the same By-law stipulates that such a use shall only be permitted in a “single detached dwelling” and only through amendment to the Zoning By-law. The subject proposal would not appear to delete or otherwise affect the building as a single detached dwelling in the zoning By-law.

6. With regards to municipal regulations and restrictions, the municipality may allow a Bed and Breakfast Establishment within a single detached dwelling by way of a specific zoning By-law amendment.

I’m respectfully suggesting that the intent of the subject covenant provisions is to focus on physical development on the individual subdivision lots while leaving final questions of use and occupancy to be a matter of complying with municipal (or other “competent authorities”) regulations and restrictions as they exist or as they may be amended.

In my opinion, the question of the subject application referred to is wholly a matter for the formal municipal planning process and its due land use considerations per provisions of the Planning Act. I can’t see how it can be taken that a bed and breakfast establishment is prohibited in the covenants as such prohibition is not specified. However, the covenants do specify that the use be for a private residence and subject to municipal regulations and provisions. Municipal regulations and provisions (in this case, the zoning By-law) specifically state a bed and breakfast establishment shall only be permitted in a single detached dwelling and then only after due consideration via the zoning By-law amendment application process. In addition, the single detached dwelling must, by regulation, remain as a principal residence. The primary concern of Blue Mountain Resort in this case is limited to potential impact on golf course use and operations. The approvals sought would not raise concern for Blue Mountain Resort on the basis of use and location.

Yours Truly,

Travis & Assoc
Colin Travis, MCIP RPP

Cc: Ms. Sarah Butler, Administrative Coordinator, Projects & Planning, BMR
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 53, Plan 1078, in the Town of The Blue Mountains, from R1-1 to the R1-1 Exception 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.

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

Enacted and passed this 30th day of September 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 30th day of September 2019.

Dated at the Town of The Blue Mountains, this 30th day of September 2019.

__________________________________________
Corrina Giles, Clerk