A. Recommendations

THAT Council receive Staff Report PDS.19.127, Planning Recommendation Report – Oxley Zoning By-law Amendment (64 Bruce St. S), for the lands known as Lots 3, 9 and Part of Lot 10, Plan 99;

AND THAT Council enact a Zoning By-law Amendment to change the property’s zone to the BMC exception (BMC-115) zone.

B. Overview

This report provides a summary of the public meeting and recommendation on a proposal to rezone the property known as 64 Bruce St. S. in Thornbury, from General Commercial (C2) to the Bruce Street-Marsh Street Corridor (BMC) zone.

C. Executive Summary

Application File #: P2769

Application Received Date: July 18, 2019

Application Deemed Complete Date: August 25, 2019

Official Plan Designation: Community Living Area (CLA)

Zoning Bylaw: C2-87-h25 (proposed to be amended)

Location: 64 Bruce Street South (Northwest side of Bruce Street)

The Town received an application to amendment the zoning by-law for the property at 64 Bruce Street South. The property owners would like to establish a primary residential use on the property, but retain the ability for limited commercial uses, such as small retail store. No other development is proposed.
D. Background

The property owners purchased the lands with the desire of converting the existing building into a primarily residential use. Their vision for the property includes establishing a small retail use in the front room of the building that was previously used for a retail store (Beaver Valley Outreach Treasure Shop).

Location and Description
The property is known as 64 Bruce Street S, in Thornbury. The lands are south of the Thornbury downtown area. The lands have an entrance on Bruce Street, and there is an entrance at the rear of the lands on Park Lane, as seen in Figure 1.

The lands are made up of two separately assessed lots for tax purposes. However it is our understanding that these lots have merged on title and have been functioning as one lot for some time. The lands were formerly used for the Beaver Valley Outreach, and prior to that, the Town’s Firehall.

The majority of the property is paved, used previously for parking for both previous uses. The lot is serviced by municipal water and sewage disposal services.

Figure 1: Location Map of Subject Lands

The legal description of the property is Lot 3, Lot 9 and Part of Lot 10 of Plan 99 (formerly the Town of Thornbury), Town of The Blue Mountains.
Application
This application requests to change the zoning category from the General Commercial (C2-87) zone to the Bruce Street Marsh Street Corridor (BMC) zone, to be consistent with the adjacent properties. The proposed zoning would allow the conversion of the existing building to a 327 sq m residence, with an 81.4 sq metre retail store (or similar uses, in accordance with the BMC zone). The proposed zone would also have site-specific exceptions to recognize existing setbacks of the building on the site. No other development is proposed.

Public Meeting Summary
The Town held a public meeting on September 16, 2019 and as a result comments received from agencies and the public. The comments were generally supportive of the zoning amendment. No comment was received in objection to the application. Comments are summarized below.

<table>
<thead>
<tr>
<th>Name</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>County of Grey</td>
<td>No concerns.</td>
</tr>
<tr>
<td>Grey Sauble Conservation Authority (GSCA)</td>
<td>No concerns. Lands are not regulated by the GSCA and there are no natural heritage concerns.</td>
</tr>
<tr>
<td>Historic Saugeen Metis</td>
<td>No objection or opposition to the proposed rezoning.</td>
</tr>
<tr>
<td>Name</td>
<td>Comments</td>
</tr>
<tr>
<td>------</td>
<td>----------</td>
</tr>
<tr>
<td>Public Comments (spoken at meeting and letters attached to this report)</td>
<td>Support zoning amendment - however would like Spruce Trees at rear of lot, along the side lot line protected, no other residential dwelling on the site, ensure Stormwater Management is addressed. Would like to review building permit when they are submitted.</td>
</tr>
</tbody>
</table>

E. Analysis

This section provides the staff analysis on based on the relevant legislation and policies and summaries are provided in the following sections. A detailed review of relevant policies is attached to this report in the Detailed Policies Review (Attachment #2)

Planning Act
The Ontario Planning Act provides municipal Council with the authority to pass zoning by-laws, and make 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. More detail is provided in the following sections of this report; staff are satisfied that the application is consistent with the Provincial Policy Statement and has regard for matters of Provincial Interest.

Provincial Policy Statement
The Provincial Policy Statement (PPS) 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; settlement areas are the focus of growth and development, and their vitality and regeneration shall be promoted. Since no buildings or structures are proposed, and the lands are to change to a more sensitive land use (residential, small-scale commercial) from a less sensitive land use (fully commercial) and are in an area of predominately residential uses, staff are satisfied that the proposal is consistent with the PPS.

Official Plans
County Official Plan
The County of Grey Official Plan designates the lands **Primary Settlement Area**. Primary Settlement Areas are larger settlements with full municipal servicing; a wide range of uses, services and amenities are intended to be the primary target for residential and non-residential growth. County policies are designed to be flexible and leave more detailed policy requirements for development in the Primary Settlement area to the local municipality.

Town Official Plan
The Town’s Official Plan designates the property **Community Living Area**, which allows for a variety of residential types, home occupations, and institutional uses, such as churches,
daycares. The property is also within the identified **Bruce Street / Marsh Street Corridor**. The Figure 3 illustrates both the designation and Bruce Street / Marsh Street Corridor.

**Figure 3: Town’s Official Plan Map**

![Official Plan Map](image)

In order to support the Thornbury and Clarksburg Downtowns, policies in the Official Plan support opportunities for appropriate, small-scale businesses on properties designated Community Living Area, within the Bruce Street / Marsh Street Corridor. Examples of permitted uses are small-scale medical offices, retail and service commercial uses and art galleries.

The proposal is to rezone the lands to allow the existing building to be converted to a predominantly residential use with a small store. These proposed uses are consistent with the Community Living Area designation within the Bruce Street / Marsh Street Corridor.

Staff are satisfied that the proposal for rezoning is consistent with the intent and direction of both Official Plans.

**Zoning By-law 2018-65**
The lands are currently zoned General Commercial Exception (C2-87-h25), which is shown in Figure 4.

The Exception 87 allows for the commercial uses of the C2 zone, but does not permit a residential use. The Holding (-h25) symbol requires a parking management plan prior to establishing a new commercial use. Note that this property was rezoned to the C2-87-h in 2017 from the Institutional (I) and Residential (R2) zones. A commercial use had not yet been established and the Holding Symbol has not yet been removed.

The proposed zoning amendment is to change the zoning symbol to the BMC zone, in keeping with the surrounding properties. As there is an existing building, the BMC zone will require an exception to recognize the location of the building and apply special setbacks. This exception
will not allow new structures to be constructed within the special setbacks; the regular setbacks will apply to new structures.

Figure 4: Zoning By-law 2018-65 Map

As shown within the Figure 4 map, the subject lands are surrounded by other BMC zoned lands and residential uses.

The holding symbol that was previously applied is no longer necessary, as the intent was to help deal with matters around establishing a commercial use in between residential lots, where there had been concerns about commercial parking and access using Park Lane. As the new use is to be predominantly residential, the holding symbol does not need to be reapplied.

A draft by-law has been attached to this report as Attachment #3.

Other Matters
Although all of the public comments were supportive, some suggested conditions to restrict the property's development rights or add additional regulation to a predominantly residential property, other than what is required for the standard BMC zone. These included preserving/protecting the Spruce Trees along the property line, not allowing additional residential buildings, and a request to be able to review building permits.

While it is recommended that a property owner retain trees where possible, a specific measure to require specific trees in the zoning amendment is not recommended. Regarding additional residential uses, staff note that all of the BMC zone is permitted an accessory apartment use, either in the main building or as a detached unit. There are existing general provisions in the zoning by-law to deal with setbacks and access, among other matters. Therefore staff do not recommend removing any permissions for accessory apartments on this property.

Staff also note that building permits are not circulated to the public, but subject to requirements of the Building Code only and under the purview of the Building Official.
The further comment concerning Stormwater Management and not flooding neighbour properties is a point well taken. It is staff understanding that the property owners are planning to remove some pavement to create outdoor yard space, which may include grass, gardens, patio, etc. These improvements should increase the permeable surface on the property and may better deal with stormwater on the site. In addition, when any building permit is applied for, grading and drainage information is required.

Conclusions
Staff are satisfied that the proposed zoning by-law amendment meets the requirements of the Planning Act, is consistent with the Provincial Policy Statement, and conforms with the intent and direction of both the Official Plans. Staff recommend approval of this zoning amendment.

F. The Blue Mountains Strategic Plan

The recommendations in this staff report support the following goals and objectives of the Town’s Strategic Plan:

- Goal #1: Create Opportunities for Sustainability
- Objective #2 Attract New Business
- Objective #3 Promote a Diversified Economy

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

G. Environmental Impacts

None.

H. Financial Impact

None.

I. In consultation with

Agencies, the public and internal staff were consulted through the circulation through the Public Notice process of the Planning Act. Shawn Postma, Senior Policy Planner was also specifically consulted.

J. Public Engagement

The topic of this Staff Report was subject of a Public Meeting which took place on September 16, 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. Public Meeting Comments Received
2. Detailed Policy Review
3. Draft Zoning By-law Amendment

Respectfully submitted,

_Denise Whaley________________
Denise Whaley, MSc, MCIP, RPP
Planner II

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

For more information, please contact:
Denise Whaley, MSc, MCIP, RPP
planning@thebluemountains.ca
519-599-3131 extension 262
September 13th, 2019

Denise Whaley
Town of The Blue Mountains
PO Box 310 – 32 Mill Street
Thornbury, ON
N0H 2P0
*Sent via E-mail

RE:  Zoning By-law Amendment ZBA Oxley Robert Holdings Inc
64 Bruce Street South
Town of The Blue Mountains
Applicant/Owner: Oxley Robert Holdings Inc

Dear Ms. Whaley,

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), Recolour Grey. We offer the following comments.

The property owners would like to establish a primary residential use on the property but retain the ability for limited commercial uses. The lands are currently zoned General Commercial Exception (C2-87-h). The Exception 87 allows for the commercial uses of the C2 zone, with the exception of a restaurant use, and does not permit a residential use. The Holding (h) symbol requires a parking management plan prior to establishing a new commercial use. Note: the property was rezoned to the C2-87-h in 2017 from the Institutional (I) and Residential (R2) zones.

This application requests to change the zoning category from the General Commercial (C2-87) zone to the Bruce Street Marsh Street Corridor (BMC) zone, to be consistent with the adjacent properties. The proposed zoning would allow the conversion of the building to a 327 sq. m residence, with an 81.4 sq. metre retail store (or similar uses, in accordance with the BMC zone). The proposed zone would also have site-specific exceptions to recognize existing setbacks of the building on the site. No other development is proposed.

Schedule A of Recolour Grey designates the subject property as a ‘Primary Settlement Area’. Section 3.5 states,
2) Land use policies and development standards in areas designated Primary Settlement Areas will be in accordance with local official plans and/or secondary plans.

3) This Official Plan promotes the development of Primary Settlement Area land use types for a full range of residential, commercial, industrial, recreational, and institutional land uses. These areas will be the focus of the majority of growth within the County.

County planning staff have no concerns with the proposed development. Further comments should be received from the The Town of The Blue Mountains.

Appendix A of Recolour Grey indicates that the subject property is within ‘Intake Protection Zone – 2’ (IPZ-2). It appears the proposed area is also within an Events Based Area, which is concerned with the storage of fuel. This does not appear to be proposed within the subject application; therefore, the IPZ policies shall not constrain the subject application.

County planning staff have no concerns with the subject application.

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. 1233
hiba.hussain@grey.ca
www.grey.ca
September 11, 2019

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

Dear Ms. Giles:

RE: Application for Zoning Amendment P2769
Applicant: Gillian Oxley
64 Bruce Street
Roll No.: 42-42-000-017-030-00
Town of the Blue Mountains, formerly Thornbury
Our File: P19368

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.

**Subject Proposal**

It is our understanding that the subject proposal is to establish a primary residential use on the property while retaining the ability for limited commercial uses. The lands are currently zoned General Commercial Exception (C2-87-h). This application requests to change the zoning category from the C2-87 zone to the Bruce Street Marsh Street Corridor (BMC) zone, to be consistent with the adjacent properties. The proposed zoning would allow the conversion of the building to a 327 m² residence, with an 81.4 m² retail store.

**Site Description**

The subject property is located along the west side of Bruce Street South, between Alice Street and Louisa Street, in the former Village of Thornbury. The property is generally flat with a building and paved areas within the east portion, and a gravel parking area in the west portion.
GSCA Regulations
The subject property is not currently regulated under Ontario Regulation 151/06: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses.

Provincial Policy Statement (2014)
3.1 Natural Hazards
No natural hazard areas were noted on the subject property.

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

Recommendations
Our office has no objection to the subject application as the property is not currently regulated under Ontario Regulation 151/06 and no impacts to natural hazard areas and/or significant natural heritage features are anticipated.

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

If any questions should arise, please contact our office.

Regards,

Jacob Kloeze

cc Andrea Matrosov, Authority Director, Town of The Blue Mountains
Planning Department, Town of The Blue Mountains
Gillian Oxley, Applicant
Ms. Whaley,

The Historic Saugeen Métis (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: hsmasstlrcc@bmts.com

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September 4, 2019

68 Bruce Street South,
Thornbury ON N0H 2P0

Corrina Giles, Town Clerk
32 Mill St. Box 310, Thornbury ON, N0H 2P0
By email to [redacted]

RE: Application for Zoning Amendment, 64 Bruce Street South, Thornbury
Lot 3, Lot 9 and part of Lot 10 of Plan 99 Town of the Blue Mountains

To: Mayor Soever and Members of Council

We are in agreement with the request to change the zoning category from the General Commercial (C2-87) zone to the Bruce Street Marsh Street Corridor (BMC) zone, to be consistent with the adjacent properties and allow the conversion of the existing building to a single family residence and retail store.

Our agreement to the approval to the Zoning Amendment is contingent on the following:
not allowing any other residential building on the site;
any construction and/or parking on the rear of the lot facing Park Lane must not harm the existing spruce trees on our adjacent property and;
storm water management must be provided to prevent flooding to all adjacent properties.

We would appreciate receiving notice when this Application for Zoning Amendment request goes to Council and we would appreciate a notice of Councils decision.

Jay and Madeleine Kivell

Copy by email to: Denise Whaley [redacted]
Hello Denise:
Please be advised that we wish to be informed of any decisions of Council on this proposal.
We would like to be informed of details of a building permit when applied for.
Thank you.
Michael & Elizabeth Young
Detailed Planning Analysis Section

This attachment provides the most relevant sections of the Planning Act, Provincial Policy, the Official Plans and any other policies and legislation that were considered by staff in review of this proposal. As this proposal is not to create any new land uses and does not create a new lot, rather for a lot boundary adjustment, limited sections of the documents apply.

Relevant Sections of the Planning Act, R.S.O. 1990, c. P.13

Staff reviewed all the sections under Section 2 - Matters of Provincial interest as well as Section 51 (24). The below quoted sections were determined to be most relevant and staff provided comments on how these sections were considered.

Planning Act

Provincial interest

2 The Minister, the council of a municipality, a local board, a planning board and the Tribunal, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as,

(a) the protection of ecological systems, including natural areas, features and functions;

Staff comment: The property does not contain any significant natural heritage features and the site is already a developed property.

(d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;

Staff comment: the above features are not present on the site.

(e) the supply, efficient use and conservation of energy and water;

(f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;

Staff Comment: Property is adequately serviced with municipal water and sewage disposal.

(h) the orderly development of safe and healthy communities;

Staff Comment: Property is within the settlement area and already developed, as per the original Subdivision Plan.

(k) the adequate provision of employment opportunities;

Staff Comment: Policies for home-based work allow for additional employment opportunities, beyond commercial and employment lands.
Public works and by-laws to conform with plan

24 (1) Despite any other general or special Act, where an official plan is in effect, no public work shall be undertaken and, except as provided in subsections (2) and (4), no by-law shall be passed for any purpose that does not conform therewith. R.S.O. 1990, c. P.13, s. 24 (1); 1999, c. 12, Sched. M, s. 24.

Staff Comment: The proposal was reviewed for conformity with the relevant Official Plans. Staff are satisfied that the proposal is supported by Town and County Official Plan Policies.

Part V - Land Use Controls and Related Administration - Zoning by-laws

34 (1) Zoning by-laws may be passed by the councils of local municipalities:

Restricting use of land
1. For prohibiting the use of land, for or except for such purposes as may be set out in the by-law within the municipality or within any defined area or areas or abutting on any defined highway or part of a highway.

Restricting erecting, locating or using of buildings
2. For prohibiting the erecting, locating or using of buildings or structures for or except for such purposes as may be set out in the by-law within the municipality or within any defined area or areas or upon land abutting on any defined highway or part of a highway.

Staff Comment: Zoning By-laws are used by Councils to restrict the uses and buildings on lands. However they may be amended by applying for a Zoning By-law Amendment (Subsection 10 of Section 34).

Provincial Policy Statement 2014 (PPS 2014)

Section 4.1 of the PPS states that the policies apply to all decisions made by an approval authority on a planning matter and Section 4.2 confirms that a decision of the council of a municipality shall be consistent with the Provincial Policy Statement. The following excerpts from the PPS were considered relevant to this application and formed part of the staff planning review.

1.0 Building Strong Healthy Communities

Ontario is a vast province with urban, rural, and northern communities with diversity in population, economic activities, pace of growth, service levels and physical and natural conditions. Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns. Efficient land use and development patterns support sustainability by promoting strong,
liveable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.

Accordingly:

1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.3 Settlement Areas
Settlement areas are urban areas and rural settlement areas, and include cities, towns, villages and hamlets. Ontario’s settlement areas vary significantly in terms of size, density, population, economic activity, diversity and intensity of land uses, service levels, and types of infrastructure available.

The vitality of settlement areas is critical to the long-term economic prosperity of our communities. Development pressures and land use change will vary across Ontario. It is in the interest of all communities to use land and resources wisely, to promote efficient development patterns, protect resources, promote green spaces, ensure effective use of infrastructure and public service facilities and minimize unnecessary public expenditures.

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

**Staff Comment:** The property is within a settlement area. The proposal to redevelop the property for residential use and accessory commercial is supported by this section. However the proposal would not be considered “development as the residential use is well established (no new buildings or structures are proposed).

In review of the PPS, no issues were identified. The proposal does not impact any natural heritage, natural hazard or any provincial resources. Staff are satisfied that the proposal is consistent with the PPS.

**Official Plans**

**County of Grey Official Plan**

2.6.3 Primary Settlement Areas

(1) The Primary Settlement Areas as identified in Table 6 and shown on Schedule A of this Plan include existing major urban settlement areas on full municipal services.

(2) Land Use policies and development standards in areas designated Primary Settlement Areas will be in accordance with local Official Plans and/or Secondary Plans.

(3) This Official Plan shall promote the development of the Primary Settlement Areas designation for a full range of residential, commercial, industrial, recreational, and institutional land uses. They will be the focus of a majority of the growth within the County. Lands may be designated to accommodate the growth projected in Tables 1, 2, and 3 of this Plan.
Staff Comment: The County Plan defers detailed development and land use policies to the Town’s Official Plan. The proposal is not considered “development” at this time because the buildings are not expanding not changing.

Town of The Blue Mountains Official Plan Excerpts

B3.1 COMMUNITY LIVING AREA

B3.1.1 Objectives

It is the intent of this Plan to:

- maintain the unique small town feel and character of Thornbury-Clarksburg;
- maintain compatibility and where necessary, enhance the character and identity of existing residential areas;
- encourage the provision of a full range of housing opportunities to meet the Town’s housing needs;
- promote the efficient use of existing and planned infrastructure by creating the opportunity for residential intensification, where appropriate; and,
- maintain the community’s low (height) profile and low density feel.

B3.1.2 Location

The Community Living Area designation applies to lands in the Thornbury-Clarksburg settlement area, on full municipal sewer and water services, and lands in Clarksburg proposed to be serviced by full municipal sewer and water services.

B3.1.3 Permitted Uses

Permitted uses on lands designated Community Living Area include:

- a) single detached dwellings;
- b) semi-detached dwellings;
- c) duplex dwellings;
- d) townhouse, multiple and apartment dwellings subject to Section B3.1.5;
- e) accessory apartments in single detached, semi-detached and townhouse dwellings subject to Section B2.7;
- f) home occupations subject to Section B2.10;
- g) bed and breakfast establishments in single detached dwellings, subject to Section B2.5.1
- h) parkettes and neighbourhood parks;
- i) day nurseries and institutional uses subject to Section B.3.1.7;
- j) special needs housing subject to Section B3.1.6;
- k) private home daycare; and,
- l) other similar uses.

Staff Comment: The proposed rezoning to a predominantly residential use is supportable, based on the permitted uses above.
B3.1.8 Bruce Street / Marsh Street Corridor

In order to support the Thornbury and Clarksburg Downtowns, it is a policy of this Plan to support opportunities for appropriate, small-scale businesses on properties designated Community Living Area, within the area identified as Bruce Street / Marsh Street Corridor on Schedule A-2. The intent of this policy is to support the connection between the two Downtowns and accommodate small-scale, commercial uses in existing single detached residential buildings, while maintaining the character and built form of the area and complementing the mixed use, pedestrian oriented focus of the Downtowns. Such uses are only permitted provided the primary residential character of the area and property is maintained. Permitted uses could include home occupations, small-scale medical offices, retail and service commercial uses and art galleries. Such uses shall be defined and regulated through the Zoning By-law and shall be subject to site plan control.

Staff Comment: The above policy supports the implementing zoning category of BMC that was applied predominantly in the area of the subject lands. The Comprehensive Zoning By-law contains provisions to deal with establishment of Home Occupations and other small scale commercial uses. The existing building is commercial looking; the proposed rezoning and residential use have the potential to be more compatible with the surrounding area and improve the character of the property.

As the proposed rezoning does not constitute development, increase the intensity of the use of the lands and is deemed to be a more compatible use, supported by the above policies, there are no further issues noted. Staff are satisfied that the proposal is supported by the Town’s Official Plan policies.
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. That Schedule ‘A’ Map 1 is amended by changing the zoning symbol for the lands known as Lot 3, Lot 9, and Part of Lot 10, Plan 99 (formerly the Town of Thornbury) from General Commercial Exception (C2-87) to the Bruce Street Marsh Street Corridor Exception Zone (BMC-xx).

2. That Part 9.1 Exceptions is amended by addition the following new exception:

<table>
<thead>
<tr>
<th>Exception Number</th>
<th>Zone</th>
<th>Special Provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>115</td>
<td>BMC-115</td>
<td>Minimum Side Yard - North side: 0.76 m</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Minimum Side Yard - South Side: 4.0 m</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Minimum Rear Yard: 3.0 m</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Special yard provisions apply for the structures existing on the property at the time of this by-law only (November 18, 2019). (Lot 3, Lot 9 &amp; Pt Lot 10, Plan 99)</td>
</tr>
</tbody>
</table>

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

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

Enacted and passed this 18 day of November, 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 18 day of November, 2019.

Dated at the Town of The Blue Mountains, this 18 day of November, 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 C2-87-h25 to BMC-115

Date: 10/11/2019