A. Recommendations


AND THAT Council enact a Zoning By-law Amendment to change a portion of the property’s zone to Development (D) and the Residential (R1-57) Exception Zone.

B. Overview

This report provides a summary of the public meeting and recommendation on a proposal to rezone the property known as 61 Alfred St W. in Thornbury, as a condition of two Consent Applications to sever the lands. The proposal is to change a portion of the property from the Residential (R3) zone to Residential (R1) with an exception and Development (D) zones.

C. Executive Summary

Application File # P2778

Application Received Date: July 29, 2019

Application Deemed Complete Date: August 5, 2019

Official Plan Designation: Community Living Area

Zoning Bylaw Category: Development (D) & Residential (R3) in Thornbury Zoning By-law 10-77

Location: 61 Alfred St. West

This application requests to rezone the property from Residential (R3) to Residential Exception (R1-exception) zone, as a condition of the severance of two lots – one containing the Residential Dwelling, and a second lot containing the garage (to be demolished). Note that these lands are an area still zoned under the Town of Thornbury Zoning By-law 10-77. The
property was subject to severance application files B12-2019 and B13-2019, which were recently conditionally approved by the Committee of Adjustment on August 21, 2019.

D. Background

Location
The legal description of the property is Lots 1-3, Plan 105 (Formerly the Town of Thornbury), Town of The Blue Mountains. The property has frontage on both Alfred and Victoria Streets and contains a dwelling and garage. Note that Alfred Street West is a County Road.

Figure 1: Location Map

Figure 2 (next page) is an aerial view of the area and shows the location of the proposed severed lots. The subject lands are surrounded by residential uses, with the Community Centre and Arena across the road. The area contains a mixture of single detached lots of varying sizes and condominium townhouses.

Current Application
The proposal is to rezone the lands to recognize the two severed lots for single detached residential uses and retain the remainder of the vacant land for future development. A future application for subdivision of the retained lot is expected shortly.

This application requests to rezone the property from Residential (R3) to Residential Exception (R1-x) zone, as a condition of the severance of two lots – one containing the Residential Dwelling, and a second lot containing the garage (to be demolished). The R1 category permits single detached dwellings and accessory uses. These lands are an area still zoned under the Town of Thornbury Zoning By-law 10-77. The proposed Exception is to align the zoning category with provisions that match the new Comprehensive Zoning By-law 2018-65, for the R1-2 zone,
not yet in effect for this property. The retained land will continue to be zoned Development (D), but is expected to be subject of a future plan of subdivision application and rezoning.

Figure 2: Aerial Photo

Public Meeting Summary
The Town held a public meeting on September 16, 2019 and as a result comments were received. The comments were generally supportive of the zoning amendment. No comment was received in objection to the application. One member of the public spoke at the public meeting. All 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. Entrance to future subdivision will need to be on Victoria St.</td>
</tr>
<tr>
<td>Historic Saugeen Metis</td>
<td>No objection or opposition to the proposed rezoning.</td>
</tr>
<tr>
<td>Public Comments (spoken at meeting)</td>
<td>One comment receive regarding drainage concerns on the property and in that area.</td>
</tr>
</tbody>
</table>
E. Analysis

This section provides the staff analysis on based on the relevant legislation and policies.

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.

Staff found no issues related to matters of provincial interest related to this zoning by-law amendment.

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.

The lands are already residential lands and the rezoning does not change the proposed uses of the lands, however it would allow for one new dwelling to be built. Infill development on fully services is consistent with the PPS.

County of Grey Official Plan
County Official Plan
The property is designated Primary Settlement Area in the County’s Official Plan. Within the County’s Plan, a variety of urban land uses are supported on full municipal water and sewer services, including commercial, industrial, institutional and residential. The County’s Official Plan defers detailed development policies to the Town’s Official Plan. County staff comments indicated the proposal was consistent with their Official Plan policies.

Town of The Blue Mountains Official Plan 2016
The 2016 Official Plan designates these lands Community Living Area (CLA). This designation allows for a range of residential and other uses, within the settlement area of Thornbury. Individual consents for residential purposes may be considered in accordance with the Infill Development policies (Section B3.1.5). Section B3.1.5 notes that existing residential neighbourhoods are intended to retain their existing character with limited change. However, this does not mean that new housing must mimic the character, type and density of existing housing but rather, it shall fit into and reinforce the stability and character of the neighbourhood. Infill and intensification may be permitted where it respects the scale and built form of the surrounding neighbourhood and conforms to the policies of the Official Plan. These policies are reinforced by several design parameters that are intended to further retain neighbourhood character and stability.
In review of this particular section of Alfred Street, there few houses that are oriented to the street on this side of the street (south side), within in this area of the community. Many of the lots east of the subject lands that are street oriented are on amalgamated parcels of significant size. Staff note that considering both sides of the street lot sizes vary considerably in this area from approximately 575 sq metres to 2100 sq metres. Bearing in mind that the proposed severed lots on Alfred are proposed for single detached houses, the proposed severances comply with the infill policies and the intent and direction of the 2016 Official Plan and in keeping with the surrounding area.

Figure 3: Official Plan Map

Staff are satisfied that the proposed zoning amendment will conform with both the County and Town’s Official Plans.

Zoning By-laws 10-77

The property is zoned Development (D) in the new Comprehensive Zoning By-Law 2018-65. This means that the lands are still subject to the former Zoning By-law 10-77, since a decision on the (D) zone was deferred in the new by-law.

Zoning By-law 10-77 currently zones the lands a combination of Development (D) and Residential (R3) as shown in Figure 5. The D zone contemplated the lands for future development and the R3 zone was meant to capture the existing residential use for the single dwelling. As a result of the split zoning, the lands will need to be rezoned to a more appropriate category. In this case, the severed lots are proposed to be rezoned to a site-specific zone, consistent with the Residential (R1-2) zone of the new zoning by-law. A portion of the retained lands not proposed for development at this time will need to be rezoned to the Development (D) zone.

A subsequent application for zoning amendment for the (D) zoned lands will be needed as part of a future subdivision proposal.
A draft zoning by-law is attached to this report as Attachment #2.

Other Matters
The one public comment received was regarding drainage concerns on the property. The redevelopment of this property provides a good opportunity to resolve drainage issues on the property. Staff noted at the public meeting that drainage matters will be addressed in two ways. First any new dwelling will need a grading / drainage plan for the building permit. The retained future development lands will also need to address stormwater as part of the development.

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 both the County of Grey and Town of The Blue Mountains Official Plans. Staff recommend approval of this zoning amendment.

F. The Blue Mountains Strategic Plan

The recommendations in this report supports the following Goals from the Strategic Plan:

- Goal #3: Support Healthy Lifestyles
- Objective #3 Manager 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.

J. **Public Engagement**

The topic of this Staff Report was the subject of a Public Meeting 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
2. Draft Zoning By-law

Respectfully submitted,

_____________________________

Denise Whaley, MSc, MCIP, RPP
Planner II

_____________________________

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 12th, 2019

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

RE: Zoning By-law Amendment
61 Alfred Street West
Town of the Blue Mountains (geographic Township of Collingwood)
Owner/Applicant: Ryan Carey
Agent: MHBC Planning (attn: Eric Miles)

Dear Mrs. Whaley,

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

The purpose and effect of the subject application is to rezone the property from Residential (R3) to Residential Exception (R1-x), as a condition of the severance of two lots – one containing the Residential Dwelling, and a second lot containing the garage (to be demolished). The R1 category permits single detached dwellings and accessory uses. Note that these lands are an area still zoned under the Town of Thornbury Zoning By-law 10-77. The proposed exception is to align the zoning category with provisions that match the new Comprehensive Zoning By-law 2018-65, not yet in effect for this property. The retained land will continue to be zoned development (D), but is to be subject of a future plan of subdivision application and rezoning.

County planning staff provided comments for the related consent files B12.2019 & B13.2019 August 16th, 2019. These comments still apply to the subject application.

Schedule A of the County OP designates the subject property as a ‘Primary Settlement Area’. Policy 3.5(2) and 3.5(3) state,

Land use policies and development standards in areas designated Primary Settlement Areas will be in accordance with local official plans and/or secondary plans.
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.

The existing and proposed development is intended to be residential in nature and serviced by municipal water and sewer. Staff have no concerns.

Appendix A of the County OP identifies the subject lands within an IPZ-2 zone. Policy 8.11.2(1)(a) states,

*Intake protection zones (IPZ’s) are areas of land and water where run-off from streams or drainage systems, in conjunction with currents in lakes and rivers, could directly impact on the source water at the municipal drinking water intakes. Within the context of Grey County, vulnerability scores for IPZ’s range from 4 to 7. IPZ’s are shown on Appendix A of this Plan and further information can be found in the local source protection plans.*

The subject property is also within an ‘Events-based Area’. These areas are predominantly concerned with fuel storage typically found in commercial/industrial operations. Because the proposed development is residential in nature, County planning staff have no concerns.

The proposed development on the subject lands is intended to be serviced by municipal services.

Grey County Transportation Services have reviewed the subject application and have the following comments. An additional entrance onto County Road (Alfred Street) would not meet County policy and would not be permitted. An entranceway to any proposed development should take place along Victoria Street. Staff also require the corner lot day lighting triangle from the retained parcel.

The subject application includes details stating a concurrent application for Plan of Subdivision and rezoning is being submitted for the balance of the 61 Alfred Street property (retained parcel). County Transportation comments may be addressed through this application.

County planning staff have no concerns with the subject application.

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

If you wish to discuss this matter further, please contact me.

Yours truly,
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: Zoning By-law Amendment Application P2778
Applicant: 61 Alfred Street West GP Inc., c/o Ryan Carey
Part of Lot 33, Concession 10; 61 Alfred Street
Town of The Blue Mountains, formerly Thornbury
GSCA File No.: P19318

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 purpose of this application is to rezone the property from Residential (R3) to Residential Exception (R1-x), as a condition of the severance of two lots. The R1 category permits single detached dwellings and accessory uses.

The property is also subject to severance application files B12-2019 and B13-2019, which were recently conditionally approved. Our office provided comments for the severance applications. These comments are included for reference as they are applicable to this application.

Recommendations
We generally have no objection to the subject application as no impacts to areas regulated under Ontario Regulation 151/06, natural hazard areas, or natural heritage features are anticipated.

We request a notice of decision in this matter, and notice of any appeals, be provided to our office.
Zoning By-law Amendment Application (P2778)
Part Lot 33, Concession 10; 61 Alfred Street
Roll No.: 42-42-000-018-136-00
Town of The Blue Mountains (formerly Thornbury)
GSCA File No.: P19318

If any questions should arise, please contact our office.

Regards,

Jacob Kloeze
Planning Technician

cc Andrea Matrosovs, Authority Director, Town of The Blue Mountains
Planning Department, Town of The Blue Mountains
Eric Miles, MHBC Planning
August 20, 2019

Secretary-Treasurer, Committee of Adjustment
Town of The Blue Mountains
32 Mill Street
Box 310
Thornbury, ON
N0H 2P0

Dear Mr. Sandberg:

Applicant: 61 Alfred Street West GP Inc., c/o Ryan Carey
Part Lot 33, Concession 10; 61 Alfred Street
Town of the Blue Mountains, formerly Thornbury
GSCA File No.: P19318

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 consent applications are to support a future draft plan of subdivision for the lands.

Consent Application B12-2019 proposes to create a 772 m² lot with 19 metres of frontage on Alfred Street, containing the existing house.

Consent Application B13-2019 proposes to create a 594 m² lot with 15 metres of frontage on Alfred Street, containing an existing garage (to be demolished).

A 10,878 m² lot would be retained, with 73 metres of frontage on Alfred Street, and 114 metres of frontage on Victoria Street. This retained lot is to be subject to a future draft plan of subdivision application.
Site Description
The subject property is located on the southeast corner of the Alfred and Victoria Street intersection in the Town of Thornbury. The site is relatively flat with sparse tree cover in the form of maple, spruce, cedar, and pine, among others. The majority of the property is grassland and appears to have been recently utilized for agricultural purposes, while a residential dwelling, garage, and manicured lawn are located within the east portion of the property.

GSCA Regulations
The subject site is not regulated under Ontario Regulation 151/06: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses administered by the GSCA. Therefore, no permits are required from our office for development or site alterations on the property.

Provincial Policy Statement (2014)

3.1 Natural Hazards
No natural hazards were identified on the subject property.

We note that shallow groundwater has been documented in the immediate area. As such, we recommend that a geotechnical report be completed for the proposed subdivision to assess existing subsurface conditions and provide recommendations for any remedial measures required for construction.

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

Stormwater Management
It is our understanding that the consent applications are to support a future draft plan of subdivision for the retained lands. Storm water on site outlets to the Municipal drainage system and then to the Little Beaver River. As such, the stormwater management (SWM) plan should provide water quality controls that meet or exceed the Ministry of the Environment’s guidelines for enhanced water quality. In addition, the lots proposed through the two consent applications should be incorporated into the SWM plan for the proposed development. We recommend that the SWM plan take into consideration information provided through the Thornbury West Drainage Master Plan.

Recommendations
Our office generally has no objection to the subject applications as no natural hazard areas or significant natural heritage features were identified on or adjacent to the subject property.

As a condition of consent, we recommend that the SWM plan for the proposed subdivision on the retained lands incorporate both lots proposed through the subject consent applications.

We request a notice of decision in this matter, and notice of any appeals, be provided to our office.
If any questions should arise, please contact our office.

Regards,

Jacob Kloeze
Planning Technician

cc Andrea Matrosovs, Authority Director, Town of The Blue Mountains
    Eric Miles, MHBC Planning
Good Morning Ms. Whaley,

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

I trust this may be helpful.

Regards,

George Govier

Co-ordinator Lands, Resources, and Consultation

Historic Saugeen Metis
204 High Street
Southampton, Ontario
N0H 2L0
Direct Line (519) 483-4001
Fax (519) 483-4002
Email HSMLRCC@bmts.com

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Draft

The Corporation of the Town of The Blue Mountains

By-Law Number 2019 –

Being a By-law to amend Zoning By-law No. 10-77 which may be cited as "The Town of Thornbury 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. 10-77;

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 A2 is amended by changing the zoning symbol for a portion of the lands known as Lots 1 to 3 of Plan 105 (formerly the Town of Thornbury) from the Residential (R3) Zone to the Development (D) and the Residential (R1-57 Exception Zones, as shown on the attached Schedule ‘A-1’.

2. That Section 26 is amended by adding the following new exception:

   “57. Notwithstanding Section 8 of this by-law, the lands zoned R1-57 are subject to the following special provisions:
   
   Minimum Lot Area  450 m2
   Minimum Front Yard Setback  6 m
   Minimum Side Yard Setback  1.2 m on one side, 0.6 m on the other
   Minimum Rear Yard Setback  6 m
   Maximum Number of Storeys  2 Storeys”

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 16th day of December, 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 16th day of December, 2019.

Dated at the Town of The Blue Mountains, this 16th day of December, 2019.

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

By-Law No._________

Legend

- Subject Lands of this Amendment
- Area to be rezoned from R3 to R1-57

Date: 11/1/2019