Staff Report
Planning and Development Services – Planning Division

Report To: Committee of the Whole
Meeting Date: December 9, 2019
Report Number: PDS.19.151
Subject: Recommendation Report: Application for Zoning By-law Amendment for Lot Coverage at Second Nature Phase 3
Prepared by: Shawn Postma – Senior Policy Planner

A. Recommendations

THAT Council receive Staff Report PDS.19.151, entitled “Recommendation Report: Application for Zoning By-law Amendment for Lot Coverage at Second Nature Phase 3”;

AND THAT Council enact a Zoning By-law Amendment so as to permit an increase in Lot Coverage from 30% to 35% where the increase in lot coverage shall only apply to a covered porch.

B. Overview

The purpose of this report is to provide a recommendation to Committee regarding an application for Zoning By-law Amendment requesting an increase in maximum permitted lot coverage from 30% to 35% to facilitate the ability to add a covered porch (loggia) for some models on some lots in the Second Nature Phase 3 lands.

C. Executive Summary

Application File # P2790
Application Received Date: August 26, 2019
Application Deemed Complete Date: October 2, 2019
Official Plan Designation: Residential Recreational Area ‘RRA’
Zoning Bylaw Designation: Residential ‘R1-1-32’ and ‘R1-1’112’
Location: Part Lot 17, Concession 1 Lots 17 to 98 and 137 to 142 Registered Plan 16M. East of Grey Road 19 and Jozo Weider Boulevard

Key Map
D. Background

The Second Nature project was originally Draft Plan Approved in the mid 1990’s as part of the larger Monterra master planned development comprising of the Monterra Golf Course and surrounding residential neighbourhoods. Second Nature has been developed in three phases with this last Phase 3 being registered in the Fall of 2019.

Phase 3 was sold to two different home builders with Primont Homes purchasing the 88 lots shown in yellow above. The Owner is now requesting an increase in lot coverage from 30% to 35% with the additional 5% coverage to only apply to a covered porch (loggia). Attachment 1 to this report provides an example of the addition of a covered porch (loggia) to a dwelling unit. Lot coverage refers to the percentage of a lot that is covered by all buildings and structures (excluding decks and in-ground pools). The intent of having a maximum lot coverage requirement is to work with property setbacks, height, and other By-law requirements to support the neighbourhood character by providing for similar sized units in a neighbourhood, to ensure a minimum amount of permeable surface area on a lot, and to provide space for outdoor amenity areas.

Surrounding land uses include the remaining 54 lots of Second Nature Phase 3, Open Space/Hazard lands, the Monterra golf course, existing residential uses (Second Nature Phase 1, Historic Snowbridge, Windfall, Crestview Court) and future development lands including the two multi-unit blocks, Blue Vista Subdivision and other lands designated for future residential development. The immediate area has been steadily developing out since the late 1980’s.

The lands include a variety of lot sizes and are generally 730 sq m in size (0.18 acre) with 18 m (60’) lot frontage and 40 m (130’) lot depth. Primont Homes is offering new home buyers an option to purchase one of twelve different models for their lot. The model homes range in size with coverages from 155 sq m to 299 sq m (1670 sq ft to 2895 sq ft) including garages. Not all model homes are available for every lot, and not every lot will have a covered porch (loggia).
The covered porch (loggia) is an add on option that must be purchased separately by the future home owner. Below is a summary of the number of lots available, the model homes to choose from, and the lot coverage impacts including the covered porch (loggia).

- There are 88 Lots available for purchase
- There are 12 model home types to choose from
- Covered porch (Loggia) is an add-on option to the home types that must be purchased separately
- Not all model home types are available for all lots.

Table 1: Lot Coverage Summary

<table>
<thead>
<tr>
<th>Description</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Number of Lots Available for Purchase</td>
<td>88</td>
</tr>
<tr>
<td>Total Number of Model Home Types to Choose From</td>
<td>12</td>
</tr>
<tr>
<td>For All Model Home Types:</td>
<td></td>
</tr>
<tr>
<td>Total Number of Lots that meet 30% Lot Coverage if a Covered Porch (Loggia) is purchased</td>
<td>29</td>
</tr>
<tr>
<td>For 7 to 11 of the twelve available Model Home Types:</td>
<td></td>
</tr>
<tr>
<td>Total Number of Lots that meet 30% Lot Coverage if a Covered Porch (Loggia) is purchased</td>
<td>59</td>
</tr>
<tr>
<td>For the remaining 1 – 5 of the twelve available Model Home Types:</td>
<td></td>
</tr>
<tr>
<td>Total Number of Lots that meet 35% Lot Coverage if a Covered Porch (Loggia) is purchased</td>
<td>59</td>
</tr>
</tbody>
</table>

E. Analysis

Provincial Policy Statement

The Provincial Policy Statement 2014 provides direction on appropriate development, effective land use and long term economic prosperity while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. The proposed Zoning By-law Amendment to increase the maximum permitted lot coverage from 30% to 35% for a covered porch does not appear to raise any concerns of Provincial interest.
Niagara Escarpment Plan

The Niagara Escarpment Plan provides land use policies to guide development while ensuring the preservation and enhancement of the Niagara Escarpment. The subject lands are designated “Escarpment Recreation Area” which recognizes those areas of existing and potential recreational and residential development. Permitted uses include single detached dwellings, recreational uses as well as those uses listed under the Town of The Blue Mountains Official Plan. New development must not generate substantial negative impact on environmental features, and must be designed and located in a manner so as to preserve the natural, visual and cultural characteristics of the area. Site design and layout must also be in harmony with and maintain the existing character of the escarpment landscape. (Niagara Escarpment Plan, Section 1.8 and 2.2). The proposed Zoning By-law Amendment to increase the maximum permitted lot coverage from 30% to 35% must not adversely impact the visual characteristics of the area. Based on the existing and future residential built form and minor increase in lot coverage there does not appear to be a conflict with the Niagara Escarpment Plan.

County of Grey Official Plan

The County of Grey Official Plan is intended to guide development within the whole of the County of Grey and provides broad policy framework for local Municipal Official Plans, Secondary Plans and by-laws. The subject lands are designated “Recreational Resort Area” recognizing that the area is to be developed with a mix of Residential and Recreational uses with more detailed land use policies being directed to the Town of The Blue Mountains Official Plan. (Grey County Plan, Section 2.6.7 and 2.5.2)

Town of The Blue Mountains Official Plan

The Official Plan provides land use policy direction for the long term growth and development of the municipality. As described above, the Niagara Escarpment Plan and Grey County Plan defer much of the site specific policy direction to the Blue Mountains Official Plan. The policies include site specific land use designations that list permitted uses and lot development requirements for those uses. General policy direction is also provided on specific items such as visual character, housing, building heights and community design. Lot coverage is implemented at the Zoning By-law level.

The subject lands are designated Residential/Recreational Area ‘RRA’. Permitted uses include a range of residential housing types, recreational uses, and similar uses. Section A3.4 provides policy direction on Urban Community Character and that the character and stability of existing and well-established neighbourhoods are maintained and enhanced by ensuring that development is compatible with the scale and density of the existing development. Section A3.10 provides policy direction on housing encouraging a mix and variety of housing but does not speak directly to lot coverage requirements. The Community Design policies of Section D5 encourage high quality design, enhancing the urban character and to ensure complimentary and compatible development.
The intent of the Official Plan is to ensure compatibility with the surrounding area. The proposed increase in lot coverage for some lots does not appear to generate any adverse impacts on the character of the area. Based on the foregoing, Planning Staff are of the opinion that the proposed increase in lot coverage will be able to maintain the character and compatibility of the area.

The Blue Mountains Zoning By-law 2018-65

The Blue Mountains Zoning By-law 2018-65 places the subject lands in the Residential ‘R1-1’ zone. This zone category typically recognizes larger residential lot sizes with more restrictive lot coverage and yard setbacks. The zone standards recognize more separation between units with lots of open space on the lot. Table 6.2.1 of the By-law provides the Residential Zone Standards as follows:

<table>
<thead>
<tr>
<th>Zone Standard</th>
<th>R1-1</th>
<th>R1-2</th>
<th>R1-3</th>
<th>R1-4</th>
<th>R1-5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum lot area (m²)</td>
<td>550</td>
<td>450</td>
<td>360</td>
<td>2,000</td>
<td>1,390</td>
</tr>
<tr>
<td>Maximum lot coverage</td>
<td>30%</td>
<td>35%</td>
<td>40%</td>
<td>20%</td>
<td>N/A</td>
</tr>
<tr>
<td>Minimum lot frontage (m)</td>
<td>18.0</td>
<td>15.0</td>
<td>12.0</td>
<td>30.0</td>
<td>24.0</td>
</tr>
<tr>
<td>Minimum front yard (m)</td>
<td>7.5</td>
<td>6.0</td>
<td>6.0</td>
<td>9.0</td>
<td>9.0</td>
</tr>
<tr>
<td>Minimum exterior side yard (m)</td>
<td>5.0</td>
<td>2.4</td>
<td>2.4</td>
<td>9.0</td>
<td>7.5</td>
</tr>
<tr>
<td>Minimum interior side yard (m)</td>
<td>2.0</td>
<td>1.2 (1)</td>
<td>1.2(1)</td>
<td>5.0</td>
<td>3.0</td>
</tr>
<tr>
<td>Minimum rear yard (m)</td>
<td>9.0</td>
<td>6.0</td>
<td>6.0</td>
<td>7.5</td>
<td>9.0</td>
</tr>
<tr>
<td>Maximum height (m)</td>
<td>9.5</td>
<td>8.0</td>
<td>8.0</td>
<td>9.5</td>
<td></td>
</tr>
<tr>
<td>Maximum height (storeys)</td>
<td>2.5</td>
<td>2.0</td>
<td>2.0</td>
<td>2.5</td>
<td></td>
</tr>
</tbody>
</table>

**Special Provisions:**

(1) Minimum interior side yard – 1.2 metres on one side, 0.6 metres on other side.

A Zoning By-law Amendment is required to permit the proposed increase in lot coverage from 30% to 35%. Planning Staff are of the opinion that the proposed increase will not adversely impact the character of the area or the intent of the Zoning By-law.
Public Meeting Comments

The Statutory Public Meeting was held at Town Hall Council Chambers on October 28, 2019. In response, the Town received the following letters and verbal comments:

From the County of Grey Planning Department, Historic Saugeen Metis, Hydro One and Town of The Blue Mountains Building Division each indicating no objections to the proposed amendment.

One letter was received from an area resident with concerns of unsightly conditions of adjacent properties under development and that those sites should be cleaned up.

At the Public Meeting, concerns regarding increase in potential stormwater drainage, impacts on our ecological footprint, and precedent where builders should simply meet the requirements of the Zoning By-law when designing their model homes.

Regarding the stormwater concerns, an engineers report has been prepared to analyze the potential increase in stormwater runoff concluding that the overall increase is minor and that the existing stormwater management system for the subdivision was originally over-designed for the anticipated flows and that the system and can accommodate the potential increase without upgrades or other modifications.

Regarding precedent, Planning Staff acknowledge that all Zoning By-law Amendments are reviewed on their own merits and that no two amendment applications are exactly the same. The request may be similar, but the impact on community character, existing built form, resident concerns and other factors may be different. It is noted that Primont Homes is offering 12 different model homes and each model home can be customized with three different elevation types. Over the 88 available lots there is substantial choice for new homes offering the ability for a very diverse neighbourhood character. Based on the subdivision design and integrating meandering streets, natural open space areas and parks, it is noted that the subdivision includes a wide variety of lot sizes and lot shapes. The architects for Primont Homes appear to have completed a thorough design for new homes to fit on the wide assortment of lots and to establish a distinct neighbourhood character. Primont Homes wishes to offer the covered porch for all models available for each lot with it being recognized that not all lots will proceed with a covered porch. In order to offer the covered porch option for all lots increase in lot coverage from 30% to 35% is required, with the additional 5% lot coverage to only apply to the covered porch only. The Minor Variance process has been discussed with the applicant noting that there are only a few instances where the covered porch option will exceed the 30% lot coverage requirement and that in those cases the increased lot coverage could be considered on a site by site basis through the committee of adjustment. The applicant has indicated that they wish for a full Zoning By-law Amendment so that there is certainty up front on if a covered porch can be permitted without having to add another approvals process.
Conclusion

Based on the foregoing, Planning Staff has no objections to the proposed Zoning By-law Amendment provided that the increase in lot coverage from 30% to 35% applies to the covered porch only. The proposed increase appears appropriate for the lands and the Draft Zoning By-law Amendment is consistent with Provincial Policy Statement, does not conflict with the Niagara Escarpment Plan, conforms to the County of Grey and Town of The Blue Mountains Official Plans, and is appropriate for the subject lands. Planning Staff therefore recommend that Council support the application for Zoning By-law Amendment subject to the comments contained in this report.

F. The Blue Mountains Strategic Plan

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

G. Environmental Impacts

Nil

H. Financial Impact

Appealed decisions of Council are subject to the Local Planning Appeals Tribunal (LPAT) process. Depending on the scope of the appeal and Town involvement in the appeal process, additional financial obligations may be required and have been set aside in the Budget.

I. In consultation with

Trevor Houghton, Manager of Community Planning
Nathan Westendorp, Director of Planning and Development Services

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 October 28, 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. Model Home Example of Covered Porch (Loggia) Option
2. Draft Zoning By-law Amendment
Respectfully submitted,

_____________________________
Shawn Postma
Senior Policy Planner

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

For more information, please contact:
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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 the Zoning By-law of the Blue Mountains being By-law 2018-65 as amended, is hereby further amended by rezoning a portion of Part Lot 17 Concession 1 being Lots 17 to 98 and 137 to 142 Registered Plan 16M-69 from the Residential ‘R1-1-32’ and Residential ‘R1-1-112’ Zones to the Residential ‘R1-1-117’ and Residential ‘R1-1-118’ Zone in accordance with Schedule ‘A-1’.

2. That Table 9.1 – Exceptions to the Zoning By-law of the Blue Mountains being By-law 2018-65 as amended, is hereby further amended by inserting two new Exceptions as follows:

<table>
<thead>
<tr>
<th>Exception Number</th>
<th>Zone</th>
<th>Special Provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>117</td>
<td>R1-1-117</td>
<td>For these lands the minimum rear yard for the main building shall be 24 metres. The minimum rear yard for all accessory buildings and structures, including swimming pools and tennis courts, shall be 15 metres. The maximum lot coverage shall be increased up to 5% for a covered porch only.</td>
</tr>
<tr>
<td>118</td>
<td>R1-1-118</td>
<td>For these lands:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>i. The minimum lot frontage shall be 17 metres.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>ii. The minimum interior side yard setback shall be 1.5 metres</td>
</tr>
<tr>
<td></td>
<td></td>
<td>The maximum lot coverage shall be increased up to 5% for a covered porch only.</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 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 ____ day of _____, 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 R1-1-32 to R1-1-117
- Area to be rezoned from R1-1-112 to R1-1-118