



Staff Report

Planning & Development Services – Planning

Report To: Committee of the Whole
Meeting Date: April 3, 2017
Report Number: PDS.17.32
Subject: Application for Consent B13-2016 and Zoning By-law Amendment
David Rose
238 Grey Road 21. South Part Lot 18, Concession 1
Town of The Blue Mountains
Prepared by: Shawn Postma, Senior Policy Planner

A. Recommendations

THAT Council receive Staff Report PDS.17.32 “Application for Consent B13-2016 and Zoning By-law Amendment, David Rose, 238 Grey Road 21. South Part Lot 18, Concession 1, Town of The Blue Mountains”, and

THAT Council grant provisional consent to Application B13-2016 to create a new vacant residential lot subject to the conditions contained in Staff Report PDS.17.22, and

THAT Council enact a zoning By-law Amendment so as to rezone the subject lands from the Rural Estate Residential RERc zone to the Residential R# zone and to establish a new minimum lot frontage of 19.5 metres for the retained parcel.

B. Overview

The purpose of this report is to provide Council with a recommendation on a proposed application for consent and zoning by-law amendment that would create a new vacant residential lot on the subject lands.

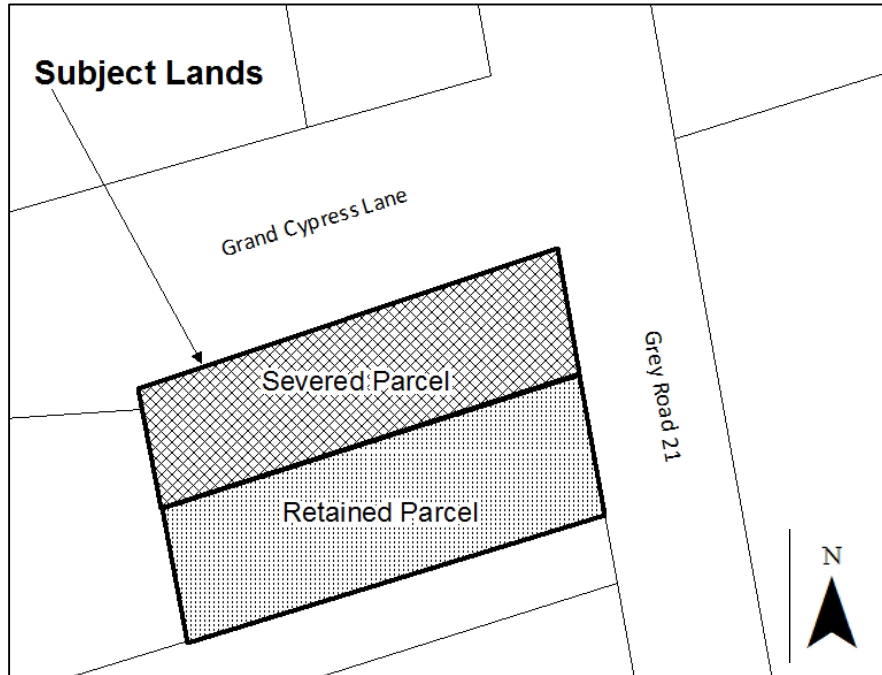
C. Background

Planning Staff received an application for consent file B13-2016 that proposes to create a new 1200 square metre vacant residential lot. A 1565 square metre residential lot containing an existing dwelling would be retained. An application for Zoning By-law Amendment has also been submitted to rezone both the severed and retained parcels from the Rural Estate Residential RERc zone to the Residential R3 zone. An exception has also be requested to reduce the minimum lot frontage requirement for a corner lot from 21 metres to 19.5 metres.

The subject lands are approximately 2765 square metres in size with 45.7 metres of frontage on Grey Road 21 and 60.9 metres on Grand Cypress Lane. Surrounding land uses include the

Monterra Golf Course, Monterra Estates comprised of large estate lot single detached dwellings, and future development lands to the north and south. The Town of Collingwood is located on the opposite side Grey Road 21. Municipal Water (supplied from Collingwood) and Municipal Sewer (Town of the Blue Mountains) are available to the subject lands.

Location



D. Analysis

Provincial Policy Statement

The Provincial Policy Statement (PPS) provides direction on appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. Infill residential development is encouraged through the PPS to increase densities and allow for the efficient use of land, infrastructure and public service facilities. There does not appear to be any concerns of Provincial interest and Planning Services is of the opinion that the proposal is consistent with the PPS.

County of Grey Official Plan

The subject lands are designated Recreational Resort Area within the County of Grey Official Plan. The Recreational Resort Area identifies those lands with a mix of permanent and seasonal residential uses and also includes recreational uses. Additional policy direction is directed to the Niagara Escarpment Plan and local Official Plans.

The Niagara Escarpment Plan (NEP) designates the lands as Escarpment Recreation Area which identifies those areas of existing or potential recreational development associated with the Escarpment. Such areas may include both seasonal and permanent residences. The NEP Plan further intends to provide concentrated recreational and associated development in an environmentally compatible manner and that new development may be created for permitted

uses in conformity with the policies of the applicable land use designation under the local Official Plan.

The proposed lot creation appears to comply with the County of Grey Official Plan and does not appear to conflict with the provisions of the Niagara Escarpment Plan.

Town of The Blue Mountains Official Plan

The subject lands are designated Residential Recreational Area. This designation permits a wide range of housing types up to a density of 10 units per hectare. Further lot creation is subject to the policies of Section B3.7.4.2 and considers a number of factors such as compatibility of built form and character of the area (Section B3.1.5.2). Planning Staff has reviewed the criteria set out in this section and are satisfied that the creation a new vacant residential lot: will remain compatible with the character of the area; will permit the construction of a new dwelling in a manner that is sensitive to and similar to surrounding residential uses under the Residential R3 zoning provisions; will allow for similar yard setbacks and appropriate amenity space; and that there do not appear to be any adverse impacts to adjacent residential uses or area traffic.

The proposed lot creation appears to comply with the Town of The Blue Mountains Official Plan.

Township of Collingwood Zoning By-law 83-40

The subject lands are zoned Rural Estate Residential 'RERc' within the Township of Collingwood Zoning By-law 83-40. The RERc zone has been in place since 1983 and recognized the Rural nature of this lot at that time including the provision of private services (water and sewer). Municipal Water and Municipal Sewer are now available, and further lot creation can be considered. The appropriate zoning category for the lands should be updated to reflect the current situation. The Residential 'R3' zone recognizes estate residential lots within the Town on full municipal services. Within the 'R3' zone permitted uses include single detached dwellings, home occupations, and accessory uses, buildings and structures. Minimum lot frontage and area requirements are 18 metres and 550 square metres for interior lots and 21 metres and 600 square metres for corner lots. The requirement for additional lot frontage for corner lots is so that an appropriate setback can be provided along the exterior side lot line. A new single detached dwelling is subject to minimum yard setbacks, a maximum height of 2.5 storey's and a maximum lot coverage of 30%.

A Zoning By-law Amendment has been submitted with the application for consent. The purpose of the Zoning By-law Amendment is to recognize a reduced front yard setback of 19.5 metres for the corner lot (21 metres is required). All other provisions of the Residential R3 zone can be met.

Planning Staff have reviewed the request for Zoning By-law Amendment and are satisfied that even with a reduced lot frontage a dwelling up to 3900 square feet (footprint) in size can still be constructed on the property without further amendments to the By-law. Therefore the

proposed lot creation and Zoning By-law Amendment will comply with the Official Plan and maintains the intent and direction Zoning By-law 83-40.

Public Meeting Summary

The statutory Public Meeting was held on February 22, 2017. This was the second Public Meeting as the first one held on January 30, 2017 included an error in the advertised date. Comments from both meetings have been summarized below. In response the Town received comments from the County of Grey, Grey Sauble Conservation Authority, Historic Saugeen Metis, Blue Water District School Board and a large number of area residents.

The County of Grey has no objections to the proposed consent provided that a condition of consent is added that a 5.18 metre road widening is dedicated to the County of Grey as well as a 15.24 metre daylighting triangle at the corner of Grey 21 and Grand Cypress lane. Planning Staff recognize that daylighting triangle requirements are already contained in the Zoning By-law and that the physical dedication of land to the County is not required. As per the County Entrance Permit Procedure Policy, it is also recommended that the entrance to the proposed severed parcel be located off of Grand Cypress Lane.

The Grey Sauble Conservation Authority has no objections to the proposed consent and By-law amendment and have commented that a permit may be required from their office prior to construction of a new dwelling and depending on the location of that dwelling.

The Historic Saugeen Metis and Blue Water District School Board have no objections.

Area residents submitted written and verbal objections with the following concerns:

1. The use of the existing dwelling for Short Term Accommodation purposes.
2. The potential that a new dwelling on the new lot could also be used for Short Term Accommodation purposes.
3. That the proposed lot frontage of 19.85 metres is insufficient. The 21 metre frontage requirement should be respected.
4. The addition of a new driveway entrance may create a traffic hazard
5. That there is a blind spot on the road.
6. That the severed and retained lots are too small and are not in-keeping with area lot sizes.
7. Property values will be negatively impacted
8. This severance may lead to further requests for severances in the area

Planning Staff has met with By-law Enforcement regarding the use of these lands for Short Term Accommodation purposes. It is noted that the existing (and proposed) zoning for the lands do not permit a Short Term Accommodation use on the property. By-law Enforcement has confirmed that they have responded to complaints regarding short term accommodation use, but have not prosecuted. The Owner is now well aware of the Short Term Accommodation requirements within the Town of The Blue Mountains and has indicated that he will not use the existing or proposed dwelling for Short Term use. Complaints regarding property standards and

boat storage have also been reviewed with all items of non-compliance are now being attended to by By-law Enforcement.

Regarding the proposed lot sizes, Planning Staff has reviewed these concerns against the direction of the Official Plan and are satisfied that the proposed retained and severed lots with 19.5 and 19.85 metres of frontage and 1200 square metres and 1565 square metres are compatible for the area.

Additional Comments

It is noted that the severed and retained parcels do not have access to Town of The Blue Mountains municipal water. There is a Collingwood Municipal water along Grey Road 21. An agreement will be required to connect and should be added as a condition of consent.

Based on the foregoing, it is the opinion of Planning Staff that the proposed Consent and Zoning By-law Amendment applications are consistent with the intent and direction of the Provincial Policy Statement, County of Grey Official Plan, Town of The Blue Mountains Official Plan and Township of Collingwood Zoning By-law. Planning Staff therefore recommend granting Consent Application B13-2016 and to enact a Zoning By-law Amendment subject to the conditions listed in this report.

E. The Blue Mountains Strategic Plan

Goal #3: Support Healthy Lifestyles

F. Environmental Impacts

Nil

G. Financial Impact

Nil

H. In consultation with

1. Public Meeting January 30, 2017 and February 22, 2017
2. By-law Enforcement Staff

I. Attached

1. Draft Notice of Decision of Consent
2. Draft Zoning By-law Amendment

Respectfully submitted,

Shawn Postma, BES MCIP RPP
Senior Policy Planner

Michael Benner, MCIP RPP
Director of Planning and Development Services

For more information, please contact:

Name

spostma@thebluemountains.ca

519-599-3131 extension 248



The Corporation of the Town of The Blue Mountains

Decision on Consent Application File No. B13-2016

Owner:	David Rose
Applicant:	Kristine Loft, Loft Planning Inc.
Purpose / Effect:	The purpose of this application for consent is to consider a request to sever a new vacant residential parcel measuring 1200 square metres in size with 19.85 metres of frontage on Grey Road 21. A residential parcel containing a single detached dwelling measuring 1565 square metres in size with 25.87 metres of frontage on Grey Road 21 would be retained. Both the severed and retained parcels have access to municipal water supply and municipal sanitary sewer. Frontage is provided on Grey Road 21 a year round open and maintained County road.
Legal Description:	238 Grey Road 21, South Part Lot 18, Concession 1
Severed Parcel:	Frontage: 19.85 m Depth: 60.96 m Area: 1200 sq m
Retained Parcel:	Frontage: 19.5 m Depth: 60.96 m Area: 1565 sq m
Road Access:	
Municipal Water: Yes Municipal Sewer: Yes	
Decision:	Granted Provisional Consent
Date of Decision:	<u>April 19, 2017</u> (Consent expires two (2) years from this date)

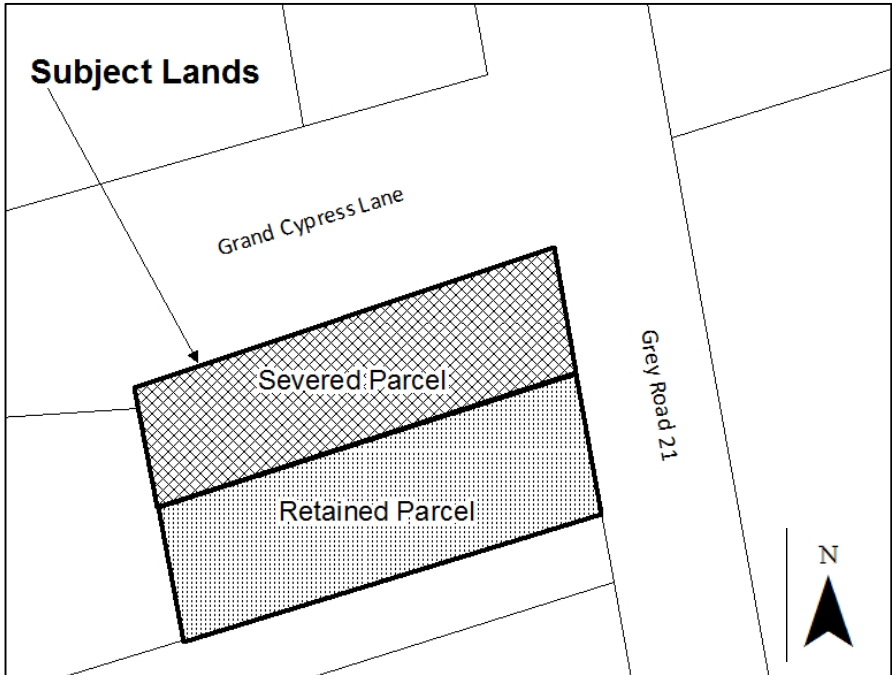
In making the decision upon this application for Consent, the Council of The Corporation of the Town of The Blue Mountains is satisfied that the proposed Consent Application complies with the intent and direction of the Provincial Policy Statement, County of Grey Official Plan and the Town of The Blue Mountains Official Plan, and represents good planning.

Notice: The last date for appealing this decision or any of the conditions is: **month, day, year.**

If provisional consent is given, then the following conditions must be met by April 19, 2018 (one year from decision).

1. That the Owner meets all the requirements of the Town, financial and otherwise, for the Certificate of Consent to be issued;
2. That the Owner provides a description of the land which can be registered in the Land Registry Office;
3. The dedication of a 5.18 metre road widening along Grey Road 21 to the satisfaction of the County of Grey.
4. The dedication of a 0.3 metre reserve on the severed parcel along the frontage of Grey Road 21 to the satisfaction of the County of Grey.
5. That an entrance permit may be obtained for the severed lot from the Town of The Blue Mountains.
6. That a connection to municipal water to the Town of Collingwood water system is completed.
7. That a Zoning By-law Amendment to rezone the subject lands from the Rural Estate Residential 'RERc' zone to the Residential 'R3' zone and to recognize a new minimum lot frontage for the severed parcel is enacted.
8. That all above conditions be fulfilled within one year of the Notice of Decision so that the Town's Clerk is authorized to issue the Certificate of Consent pursuant to Section 53(42) of the Planning Act.

Severance Sketch



Certification

Planning Act, R.S.O 1990, c. P.13, Sec 53(17) and 53(24), as amended

I, Corrina Giles, Town Clerk of The Corporation of the Town of The Blue Mountains, certify that the above is a true copy of the decision of the Council of The Corporation of the Town of The Blue Mountains with respect to the application recorded therein.

Corrina Giles, Town Clerk
Town of The Blue Mountains

Dated: month,day,year

The Corporation of the Town of The Blue Mountains

By-Law Number 2017 –

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

Whereas the Council of the Corporation of the Town of The Blue Mountains deems it necessary in the public interest to pass a By-law to amend By-law 83-40;

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

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

1. That Map 29 to Schedule “A” of the Township of Collingwood Zoning By-law 83-40 as amended, is hereby further amended by rezoning the lands from the Rural Estate Residential ‘RERc’ zone to the Residential ‘R3’ zone and Residential ‘R3-279’ zone for those lands lying and being in the Town of The Blue Mountains, comprised of South Part Lot 18, Concession 1 as indicated on the attached key map Schedule ‘A1’
2. Section 32 to the Township of Collingwood Zoning By-law 83-40 as amended, is hereby further amended by adding the following exception:
“279 The minimum lot frontage requirement shall be 19.5 metres.”
3. Schedule ‘A1’ is hereby 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 19th day of April, 2017

John McKean, Mayor

Corrina Giles, Clerk

KEY MAP SCHEDULE 'A1'

BY-LAW No. _____

TOWN OF THE BLUE MOUNTAINS



AREA AFFECTED BY THIS AMENDMENT

