

**PLANNING JUSTIFICATION REPORT
SUNSET BOULEVARD – P3145 LOT 51, PLAN 515
TOWN OF THE BLUE MOUNTAINS**

Prepared for:

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INTRODUCTION

Humphries Planning Group is the planning consultant for Vincenzo and Nella Macchia, the registered owners of the property legally described as P3145 Lot 51, Plan 515 in the Town of the Blue Mountains. (the '**Subject Property**'). The Subject Property is located on the south side of Sunset Boulevard, east of Christie Beach Road, with a frontage of approximately 36.54 metres along Sunset Boulevard and an area of approximately 0.17 hectares (0.42 acres). The site is presently vacant and contains woodlands and is bounded on the west side by a small watercourse which enters Georgian bay a short distance to the north. The development proposes to construct a two-storey single-detached residential dwelling with integrated garage, wraparound deck, porch and driveway.

A Pre-Consultation Meeting was held with the Town of the Blue Mountains on April 7, 2022 to discuss the proposal, as well as to clarify the information required at the time of application submission. The application and supporting materials are being submitted in accordance with the Pre-Consultation Comments Letter issued by Planning Staff dated April 7, 2022.

In conjunction with the submission of this Report, an application for a Zoning By-law Amendment has been submitted to the Town in order to facilitate the proposed development.

2.0 PURPOSE OF REPORT

The purpose of this Planning Justification Report (the '**Report**') is to provide a description of the Subject Property, the redevelopment proposal, as well as the approvals required to permit the development of the site. Further, this Report considers the application of Provincial, County and Local land use planning policy documents and provides a professional planning opinion and justification in support of the proposal.

3.0 SITE DESCRIPTION AND CONTEXT

3.1 Property Description

The Subject Property is located on the south side of Sunset Boulevard, east of Christie Beach Road, with a frontage of approximately 36.54 metres along Sunset Boulevard and an area of approximately 0.17 hectares (0.42 acres). The site is irregular in shape which produces a reverse pie-shaped lot with a larger lot frontage that reduces narrower rear yard (approximately 15.24 metres). The Subject Property is undeveloped and contains some successional woodlands and is bounded on the west side by a small creek/watercourse which meanders in and out the site and flows north where it outlets into Georgian Bay.

The Subject Property is located in residential subdivision which consist of a mix of developed and undeveloped properties and a range of built forms including one-storey bungalows, and two-storey single detached dwellings. The Subject Property is surrounded by residential dwellings and

the Georgian Bay shoreline to the north, residential dwellings to the east and west, and a large block of woodlands and wetlands to the south.



FIGURE 1: AERIAL PHOTO OF SUBJECT PROPERTY (— SUBJECT PROPERTY)

3.2 Legal Description

The Subject Property is legally described as follows:

P3145 LOT 51, PLAN 515

3.3 Development Proposal

The application proposes to develop the Subject Property with a two-storey single-detached residential dwelling with integrated garage, wraparound deck, and porch. Access to the site is achieved via a 6.0 metre driveway access onto Sunset Boulevard which is proposed to be graded to provide safe access/egress during the Regulatory Floodplain event. The building is proposed to be setback 18.52 metres from the north property line (Sunset Boulevard), 13.92 metres from the west, 1.60 metres from the east and 28.77 metres from the rear. The building proposed a ground floor area of approximately 133.04 square metres which translates to a total lot coverage of 7.90%.

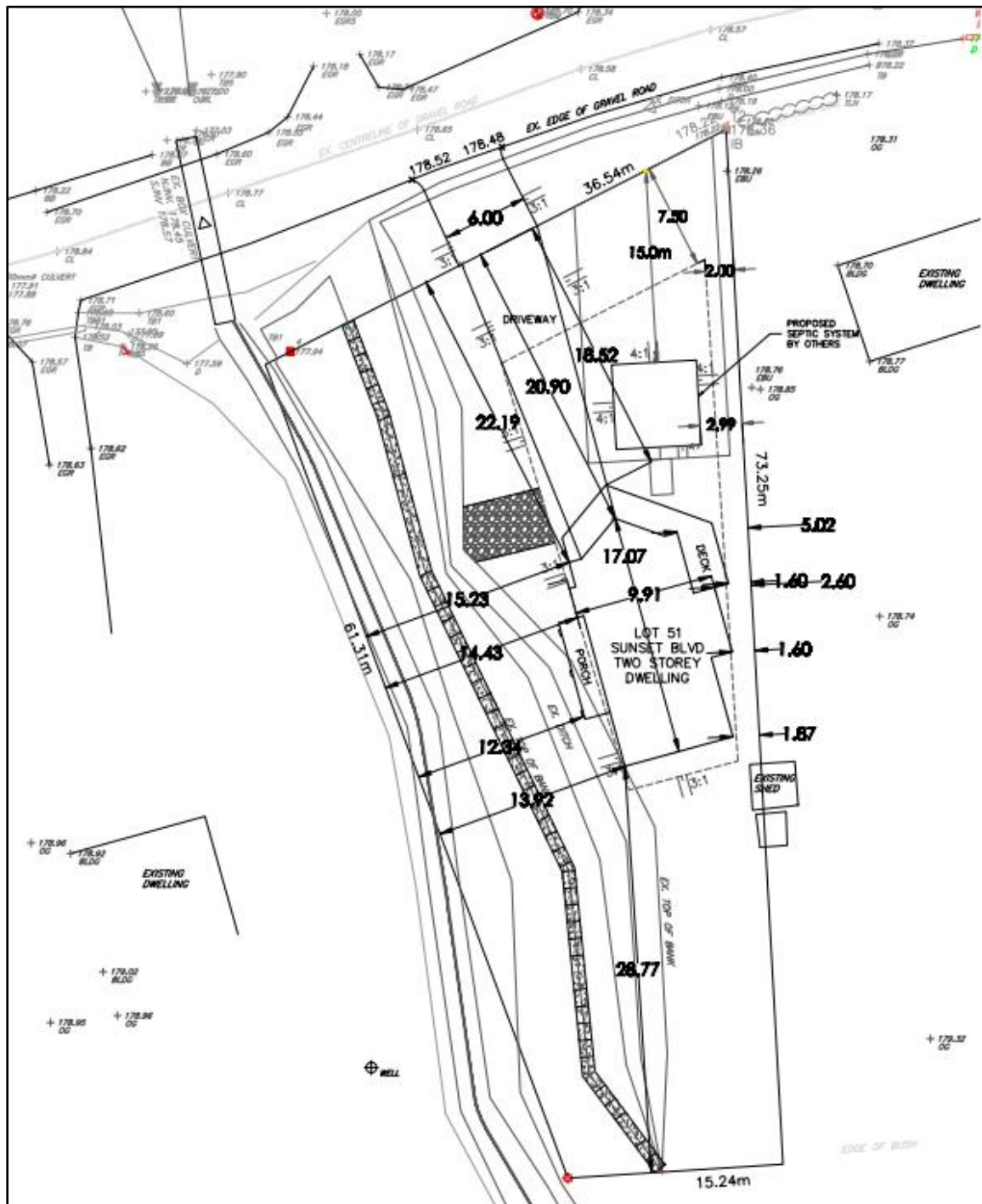


FIGURE 2: PROPOSED SITE PLAN

The building footprint is proposed to be established at an elevation of 179.06 metres. The Regulatory Floodplain elevation is 178.76 metres at the building envelope. The buildings footings will be set 0.3 metres above the Regulatory Floodplain elevation (179.06 metres) and the finished floor elevation will be set at 179.36 metres. An existing ditch/swale is situated between the proposed building envelope and the top of bank of the watercourse. This feature will remain in

its current location as a drainage and infiltration feature for runoff from the building envelope. The development also proposes the installation of an armor stone retaining wall along the top of bank of the watercourse along the westerly lot line. The development will service through private water (cistern) and wastewater (septic) services.

POLICY FRAMEWORK

Provincial Policy Statement, 2020

This Provincial Policy Statement was issued under section 3 of the *Planning Act* and came into effect May 1, 2020. It replaces the Provincial Policy Statement issued April 30, 2014. All decisions on or after that date under the *Planning Act*, or that affect a planning matter will be required to be consistent with the new PPS.

The PPS provides policy direction on matters of provincial interest related to land use planning and development. The PPS provides the framework to guide development while ensuring that resources of provincial interest, public health and safety, and the quality of the natural environment are protected. All decisions affecting planning matters in Ontario “*shall be consistent with*” the policy statements issued under the Planning Act.

The PPS encourages efficient land use planning and growth management to create and maintain strong communities and a healthy environment while encouraging economic growth over the long term. The PPS also encourages the efficient use of existing infrastructure and public service facilities and requires that municipalities plan for an appropriate range and mix of land uses throughout the Province. The PPS supports intensification, infill and development, where appropriate, in order to promote the efficient use of land where infrastructure and public services are available.

Managing and Directing Land Use

Section 1.0 of the PPS provides direction related to “Building Strong Healthy Communities” and is applicable to the Subject Property. It encourages a variety of land uses within communities and promotes initiatives that make efficient use of infrastructure.

Section 1.1.1 provides direction for managing and directing land use in order to achieve efficient and resilient development and land use patterns. These policies state:

1.1.1 Healthy, livable and safe communities are sustained by:

- a) Promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) Accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and*

- commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long term needs;*
- c) Avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
 - e) Promoting the integration of land use planning, growth management, transit supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs; cost-effective development patterns and standards to minimize land consumption and servicing costs;*
 - f) Improving accessibility for persons with disabilities and older persons by identifying, preventing and removing land use barriers which restrict their full participation in society;*
 - g) Ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;*
 - h) Promoting development and land use patterns that conserve biodiversity; and,*
 - i) Preparing for the regional and local impacts of climate change.*

Section 1.1.3 of the PPS, focuses and directs growth and development towards designated Settlement Areas. Land use patterns within settlement areas should be based on an appropriate range and mix of land uses and densities that make efficient use of available land and existing infrastructure. Section 1.1.3 includes the following applicable policies:

1.1.3.1 Settlement areas shall be the focus of growth and development.

1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) Efficiently use land and resources;*
- b) Are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
- c) Minimize negative impacts to air quality and climate change, and promote energy efficiency;*
- d) Prepare for the impacts of climate change;*
- e) Support active transportation;*
- f) Are transit-supportive, where transit is planned, exists or may be developed; and,*
- g) Are freight supportive.*

The Subject Property is located within the Town of Blue Mountains which identified as a Primary Settlement Area in accordance with the PPS. The proposed development represents an infill development on an existing lot of record in a developed area that is surrounded by existing residential development. The lands currently include a portion of lands that are zoned Development (D). Technical studies were undertaken to evaluate and define the Woodland

feature boundary as well as the stream corridor and the associated Hazard Lands to determine if the lands were developable. The findings of the reports did define the Woodland boundaries, stream corridor and its associated Hazard Lands, as well as appropriate setbacks which support the proposed building envelope on the Subject Property. The proposed development envelope will have safe access to Sunset Boulevard. The proposed zoning would utilize a R1-1 Zone (identical to existing surrounding development) and would therefore limit the use to single detached dwellings with permitted accessory uses. The application proposes a minor exception to the R1-1 zone (related to reduced side yard setback) which will be discussed in greater details below. It is the applicant's intention to construct a single detached dwelling within one of the building envelopes immediately upon approvals. There is no lot creation proposed with this application.

Section 1.4 of the PPS addresses housing and contains policies which call for an appropriate range and mix of housing types and densities to be provided in order to meeting the projected requirements of current and future residents. The following policies are applicable to the development proposal:

1.4.1 To provide for an appropriate range and mix of housing types and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:

- a) Maintain at all times the ability to accommodate residential growth for a minimum of 15 years throughout residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and*
- b) Maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.*

1.4.3 Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:

- a) a) establishing and implementing minimum targets for the provision of housing which is affordable to low- and moderate-income households and which aligns with applicable housing and homelessness plans. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;*

- b) *permitting and facilitating:*
 - 1. *all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and*
 - 2. *all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;*
- c) *directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*
- d) *promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;*
- e) *requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and*
- f) *establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.*

The development proposes to establish a new detached residential dwelling on the Subject Property in an already developed residential area in the Town. The proposal will advance the housing goals of the PPS by assisting in the provision of new housing while making efficient uses of land, infrastructure and services.

The infrastructure policies of the PPS are outlined in Section 1.6. existing infrastructure and public service facilities are intended to be maximized, wherever possible, before developing new infrastructure and public service facilities. The following policies are relevant to the proposed development:

1.6.1 Infrastructure and public service facilities shall be provided in an efficient manner that prepares for the impacts of a changing climate while accommodating projected needs.

Planning for infrastructure and public service facilities shall be coordinated and integrated with land use planning and growth management so that they are:

- a) *Financially viable over their life cycle, which may be demonstrated through assets management planning; and*
- b) *Available to meet current and projected needs.*

1.6.3 Before consideration is given to developing new infrastructure and public service

facilities:

- a) The use of existing infrastructure and public service facilities should be optimized; and,*
- b) Opportunities for adaptive re-use should be considered, wherever feasible.*

1.6.6.1 Planning for sewage and water services shall:

- a) accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing;*
 - 1. municipal sewage services and municipal water services; and*
 - 2. private communal sewage services and private communal water services, where municipal sewage services and municipal water service are not available or feasible;*
- b) Ensure that these systems are provided in a manner that:*
 - 1. can be sustained by the water resources upon which such services rely;*
 - 2. prepares for the impacts of climate change*
 - 3. is feasible and financially viable over their life cycle; and,*
 - 4. protects human health and safety, and the natural environment;*
- c) Promote water conservation and water use efficiency*
- d) Integrate servicing and land use considerations at all stages of the planning process; and,*
- e) be in accordance with the servicing hierarchy outlined through policies 1.6.6.2, 1.6.6.3, 1.6.6.4. and 1.6.6.5. For clarity, where municipal sewage services and municipal water services are not available, planned or feasible, planning authorities have the ability to consider the use of the servicing options set out through policies 1.6.6.3, 1.6.6.4, and 1.6.6.5 provided that the specified conditions are met.*

1.6.6.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage service and municipal water service, intensification and redevelopment shall be promoted wherever feasible to optimize the use of services.

1.6.6.7 Planning for stormwater management shall:

- a) be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term;*
- b) minimize, or where possible, prevent increases in contaminant loads;*
- c) minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater including the use of green infrastructure;*
- d) mitigate risks to human health, safety, property and the environment;*
- e) maximize the extent and function of vegetative and pervious surfaces; and*
- f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.*

The Subject Property is located in an area with direct access to a wide range of community services and facilities including public parks, recreation areas, and commercial areas which will support the proposed development and meet its commitment to *“providing safe, accessible, and community responsive parks and facilities that appeal to a wide range of interests and abilities”*.

The Subject Property does not have access to existing municipal servicing connections. As such, the development contemplates private communal sewage services (septic) and private communal water services (cistern) to service the dwelling which is consistent with the policies of the PPS.

Wise Use and Management of Resources

Section 2 of the PPS promotes environmental health, and social well-being through conserving biodiversity, and protecting natural heritage, water, agricultural, mineral and cultural heritage and archaeological resources for their economic, environmental and social benefits. It recognizes that wise use and management of resources is achieved by (policy 2.1-2.6):

- *Protecting the longevity of natural features.*
- *Protecting and restoring the quality and quantity of water resources.*
- *Protecting agriculture, mineral, and cultural heritage and archeological resources for their economic, environmental, and social benefits.*

The property is covered by successional woodlands and is bounded on the west side by a small watercourse. In accordance with the PPS, development and site alteration are not permitted on lands adjacent to natural heritage features unless it has been demonstrated that there are no negative impacts on the natural features or on their ecological functions (policy 2.1.8).

The Environmental Impact Study (EIS), completed by Skelton, Brumwell and Associates Inc., characterized the Natural Heritage Features, determined their function and evaluated potential impacts related to the proposed development. The Environmental Impact Study established building envelopments which were generally consistent with the development envelopes established by Tatham Engineering in the Flood Hazard Study, including appropriate setbacks from the watercourse features. The EIS provided mitigation measures that will be implemented in order to prevent adverse impacts on the natural heritage features and their functions.

A Flood Hazard Study was completed by Tatham Engineering that provided an overview of the flood hazards, related to an existing watercourse on the Subject Property and established applicable natural hazard setbacks while addressing potential hazard conditions. The Study established the developable limits across the Subject Property including an erosion hazard limit of 11-metres from the toe of the watercourse bank. The Study also recommended mitigation measures to flood proof the developable areas and mitigate potential impacts on flood conditions, including raising the grade throughout the development area, and improving the channel through the addition of cobbles and boulders along the channel slopes.

Protecting Public Health and Safety

Section 3.0 of the PPS provides direction in mitigating potential risk to public health or safety or of property damage from natural hazards. Specifically, Policy 3.1.1, 3.1.2 and 3.14 provides policies related to development and site alteration being directed to areas outside of hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards.

The technical reports prepared support the application, define the Flood Hazard Limit, assess the existing Natural Heritage Features and inform the building envelope. The Study's confirm that the required grading and fill associated with the proposed dwelling and driveway will not adversely impact upstream properties under the Regulatory Storm event. It was found that the proposed development will result in no change to water levels and will not alter the regulator flood elevation under the proposed conditions. Further, safe access can be provided along Sunset Boulevard and the proposed driveway.

In our opinion, for the reasons noted above, the proposed development and subject applications are consistent with the applicable policies of the PPS.

County of Grey Official Plan, 2019

The County of Grey Official Plan (CGOP) was adopted by Council in October 2018 and approved by the Province on June 6, 2019. Its key purpose is to guide development in the County and provide a broad policy framework for local Municipal Official Plans, Secondary Plans, and implementing Zoning By-laws. The Official Plan includes several guiding principles and policies that are applicable to the Subject Property and the proposed development. The following is a summary of the policies applicable to the proposed development and how they have been addressed.

In accordance with Schedule A (Map 2) – Land Use Types of the County of Grey Official Plan the Subject Property is designated “*Recreational Resort Settlement Area*” and “*Hazard Lands*”. The Subject Property is also identified as being located within 120m of Significant Woodlands, per Appendix ‘B’, and are identified as containing Shale Drift Thickness of 1-8m., per Appendix ‘E’

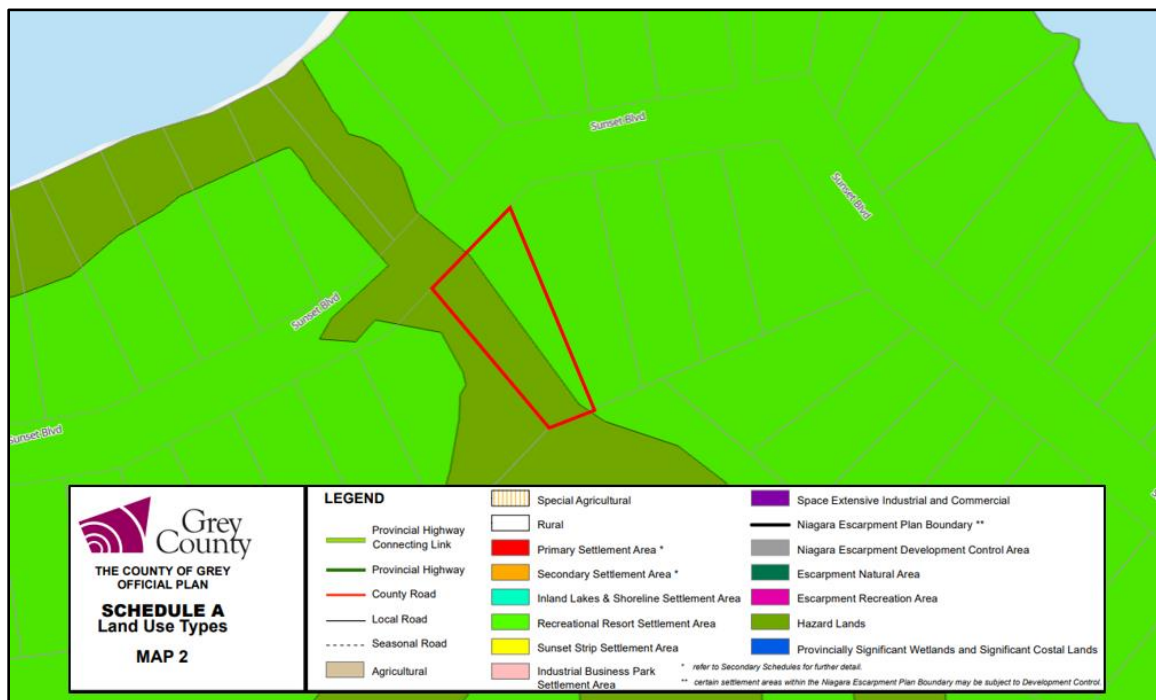


FIGURE 3: SCHEDULE A (MAP 2) LAND USE TYPES – GREY COUNTY OP (— SUBJECT PROPERTY)

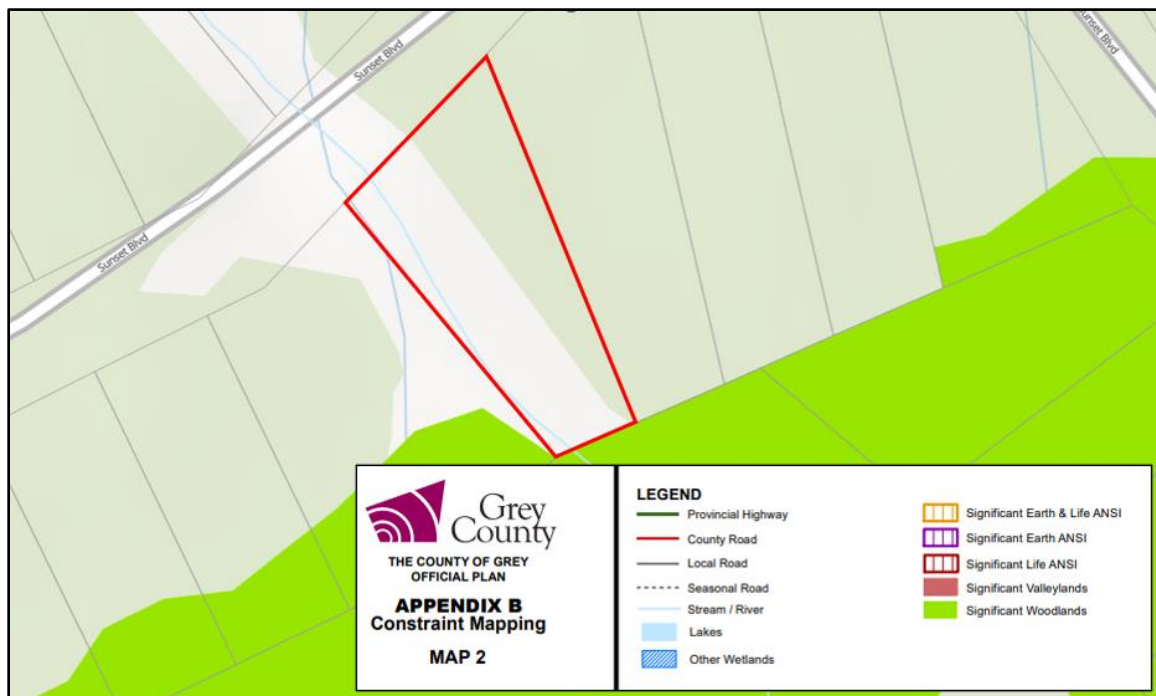


FIGURE 4: APPENDIX B (MAP 2) CONSTRAINTS MAPPING – GREY COUNTY OP (— SUBJECT PROPERTY)

The Recreational Resort Settlement Area land use type applies to areas within the Town of The Blue Mountains and the Municipality of Grey Highlands which exhibit a mix of seasonal and permanent residential growth. The Recreational Resort Area designation applies to areas that have been developed through site-specific amendments to the County Official Plan or local Official

Plan and include defined development areas, recreational amenities, residential development and are serviced by municipal services (S.3.8). New development in these areas must serve the public interest by contributing to the provision of community recreational amenities, by facilitating municipal service infrastructure, and by accommodating existing un-serviced development areas with development potential within the existing land use type or in settlement areas. In accordance with Section 3.8 (5) of the Grey County Official Plan, the Recreational Resort Settlement Area land use type will strive to enhance recreation and tourism related activities by:

- a) Encouraging the maintenance and expansion of existing recreation and tourism related facilities;*
- b) Encouraging new land uses that will promote existing or require the establishment of new recreation and tourism facilities which diversify opportunities for all possible forms of recreation, in a manner consistent with the preservation of the natural environment;*
- c) Supporting the dedication/acquisition of land for long-term public benefits within the existing land use type or community area;*
- d) Supporting the creation of public-private partnerships;*
- e) Meeting the development criteria for resource based recreational uses.*

The proposed development supports the policies of Section 3.8(5) of the County Official Plan as it provides for a residential dwelling in an area planned for residential development. The Subject Property is currently vacant, and represents an existing lot of record located within an established Recreational Residential Area. The lands are located east of the Christie Beach Conservation Area and in close proximity to recreational and commercial uses along the Highway 26 corridor. The proposed development represents an infill development on vacant land, utilizing an existing lot and public infrastructure efficiently. Municipal water and wastewater connections are not available for the development and private services will be established providing for an acceptable level of temporary private services until such time as municipal infrastructure is extended to the site.

Section 7.2 provides policies for hazard lands. Hazard lands include floodplains, steep or erosion prone slopes, organic or unstable soils, poorly drained areas, and lands along the Georgian Bay shoreline. These lands can be impacted by flooding, erosion, and/or dynamic beach hazards or have poor drainage, or any other physical condition that is severe enough to pose a risk for the occupant, property damage, or social disruption if developed. While these lands are intended to be regulated so as to avoid natural hazards, they also contribute to the natural environment within the County. Generally, development shall be directed away from Hazard Lands. Section 7.2(11) notes that precise delineation of Hazard Lands will be shown in local zoning by-laws. An amendment to the Official Plan will not be required to permit redefining of a Hazard Land boundary subject to the conclusions of an accepted Environmental Impact Study. Modifications may occur through a zoning by-law amendment after consultation with the conservation authority and the Town. A Flood Hazard Study was undertaken in support of the proposed development in order to establish the regulatory floodplain elevation, as well as other applicable

natural hazard setbacks and to demonstrate that the proposed development can occur while adequately addressing potential hazards. The findings of the Study determined that the proposed development will result in no changes to water levels under the Regulatory Storm. Further, fill and grading associated with the proposed driveway/access and dwelling will not adversely impact adjacent upstream properties under the Regulatory Storm event. The proposed development can take place in a manner that satisfies natural hazard policies and concerns.

Section 7.4 provides policies for Significant Woodlands. Significant Woodlands mapping as shown on Appendix B was developed by the County of Grey with assistance from the Ministry of Natural Resources and Forestry (MNRF). The identification was primarily a desktop exercise. No development or site alteration may occur within Significant Woodlands or their adjacent lands unless it has been demonstrated through an EIS that there will be no negative impacts on the natural features of their ecological functions. The Grey County Official Plan Appendix "B" indicates that the Subject Property does not contain Significant Woodlands. However, extensive Significant Woodlands are present along the southern border of the Subject Property. An Environmental Impact Study was undertaken in support of the proposed development and evaluated the proposed developments impact on the natural heritage features. Based on the findings of the EIS it is recommended that in order to minimize disruption to the significant woodlands to the south, tree removal should be limited to the extent required only for construction of the armour stone wall in the area 25m north of the south lot line. The proposed development will have no negative impacts to tree health or vegetation growth within the significant woodlands, given the existing separation distance and proposed buffer/setbacks.

For the reasons stated above, it is our opinion that the proposed development conforms with the policies of the County of Grey Official Plan.

The Blue Mountains Official Plan, 2016

The Town of the Blue Mountains Official Plan (TBMOP) was adopted by Council in September 2014 and approved by the County of Grey in June 2016. The Official Plan is the key municipal planning document which sets out the policy framework and land use assignment that sets out the Municipality's vision for growth and development for a twenty-year period.

Section A1.1 of the TBMOP sets out the guiding principles that have been established to help achieve the vision set out in the plan:

1. *To recognize that the Town is made up of a number of desirable safe and vibrant neighbourhoods that all combine to make this four-seasons recreational resort community a desirable place to live, establish roots, learn, visit and create diverse economic opportunities.*
2. *To ensure that the land use planning decisions made in the Town provide the basis for managing growth that will support and emphasize the Town's unique character, diversity, civic identity, recreational based/rural lifestyle, tourism destinations, natural heritage and*

- cultural heritage and to do so in a way that has the greatest positive impact on the health of our community and the quality of life enjoyed by residents and business owners alike.*
- 3. To invest in, program and maintain a diverse and interconnected system of public spaces that feature convenient and comfortable access, encourage safe and health environments, minimize hazards, are culturally appropriate and attract and serve all components of the population.*
 - 5. To ensure that the character of existing and well-established residential neighbourhoods is maintained and enhanced by ensuring that development and redevelopment is compatible, in terms of built form and street pattern, with the character of adjacent buildings and neighbourhoods and the scale of density of existing development.*
 - 6. To protect natural heritage features and areas and their associated ecological functions so that they can be enjoyed by current and future generations, and serve as a legacy of the community's desire to protect their role and function.*
 - 7. To encourage the provisions of a wide range of publicly accessible recreational opportunities to meet the needs of present and future residents.*
 - 9. To support the protection and growth of industry and tourism-recreation sectors, and the transition of existing industry sectors, towards practices, products and services that increase their overall viability by establishing a competitive business environment that is able to easily adapt to changing circumstances and priorities.*
 - 10. To encourage the revitalization of the Thornbury and Clarksburg Downtowns, which reflects their heritage significance and promotes a mix of uses and attractions for community activities that reinforce the function of the two Downtown areas as cultural, administrative, entertainment, retail and social focal points of the community.*
 - 11. To establish an integrated transportation system that safely and efficiently accommodates various modes of transportation including walking, cycling, automobiles and trucks.*
 - 12. To ensure that the construction of all infrastructure, or expansion to existing infrastructure, occurs in a manner that is compatible with adjacent land uses and with minimum social and environmental impact.*

The proposed development supports the guiding principles set out in A1.1 by promoting the efficient use of land and minimizing land consumption by developing on an existing vacant lot of record and underutilized site. The proposed dwelling will establish a residential use that is consistent with and compatible to existing surrounding development and land uses. Further, the proposal focuses development and site alteration away from natural heritage features including significant woodlands, and natural hazard areas.

The Subject Property is designated **Residential Recreational Area** and **Hazard** in accordance with Schedule 'A-1' Lora Bay of the Town of The Blue Mountains Official Plan. Appendix '1' of the

Official Plan also identifies *Significant Woodlands* on the property. In accordance with Section B3.7 of the Official Plan the objective of the Residential Recreational Area is to recognize areas where some residential uses are located to support and improve access to resort and recreation amenities.

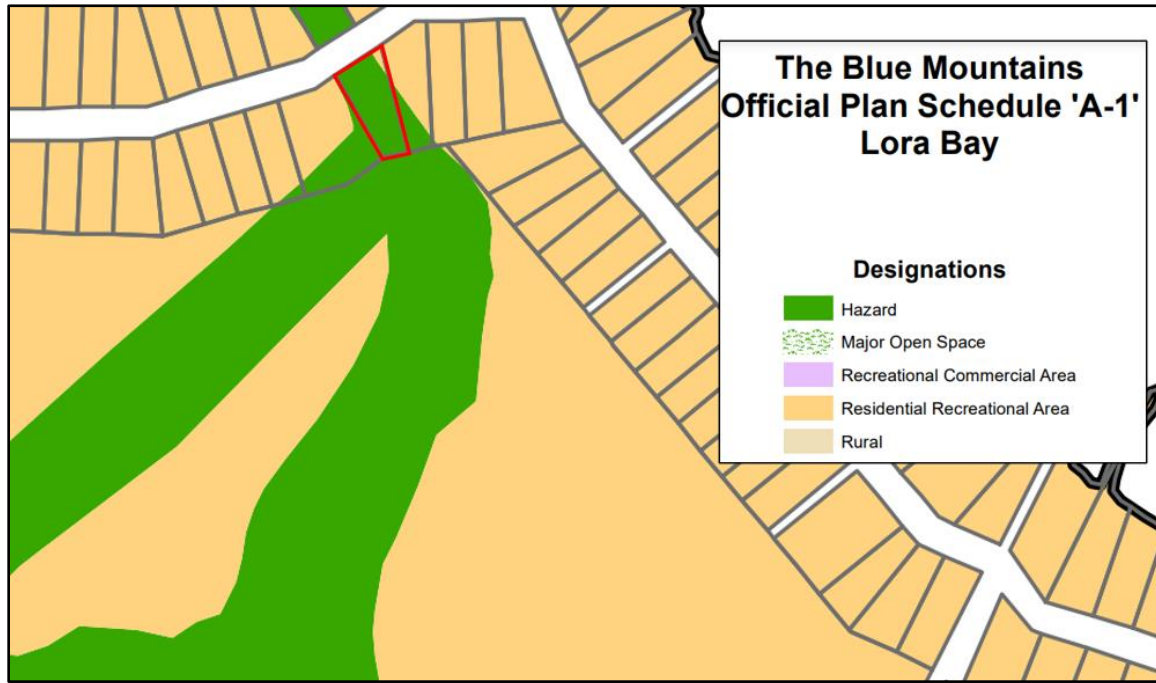


FIGURE 5: SCHEDULE A-1 LORA BAY – TOWN OF BLUE MOUNTAINS OP (— SUBJECT PROPERTY)

Permitted uses within the Residential Recreational Area designation include:

- a) *Single detached dwellings;*
- b) *Semi-detached dwellings;*
- c) *Townhouse and low-rise multiple units;*
- d) *Accessory apartments*
- e) *Bed and breakfast establishments;*
- f) *Home occupations*
- g) *Private home daycares;*
- h) *Recreational uses; and*
- i) *Golf courses*

The proposal seeks to establish a single detached dwelling on the Subject Property which is identified as a permitted use (as-of-right). The lands are also in close proximity to recreational uses including Christie Beach Conservation Area, the Golf Club at Lora Bay, and to the Village at Blue. Limited development of the site offers an opportunity for a residence in close proximity to resort and recreational amenities on an existing lot of record.

Section B5.2 of the Official Plan provides policies related to Natural Heritage Features. Natural heritage features include Significant Woodlands as identified in the County Official Plan. The boundaries of these features and areas are considered to be approximate. In accordance with Section B5.2.1 it is the policy of Council that *“Development and site alteration is not permitted in Significant Woodlands or their adjacent lands unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions”*. While the Town of the Blue Mountains Official Plan maps the woodlands on the property as **significant** this is qualified by indicating that mapping is intended to reflect County identification of significant woodlands. It is apparent in the County mapping that there was a deliberate intent to exclude significant woodlands in the existing residential lots in this area and it is only intended to capture the woodland area further south which is representative of a contiguous treed area. Notwithstanding the above, for the purposes of this Official Plan, adjacent lands are defined as all lands within 120-metres of the significant woodland and therefore require assessment. An EIS was prepared in support of the proposal. The EIS concluded the proposed dwelling is approximately 29m from the edge of the southern boundary of significant woodlands located to the south. Direct impacts to the significant woodland to the south are therefore avoided.

Section B5.4 provides policies related to Hazard Lands. The purpose of the Hazard Lands designation is to identify those lands having inherent environmental hazards such as flood susceptibility, erosion susceptibility, and dynamic beach hazards, and hazardous sites that exhibit instability, or poor drainage, or any other physical condition which is severe enough to pose a risk for the occupant, property damage or social disruption if developed. Permitted uses in the Hazard Lands designation include:

- a) forestry;
- b) uses connected with the conservation of water, soil, wildlife and other natural resources;
- c) agriculture;
- d) passive public parks;
- e) public utilities and essential municipal services; and,
- f) resource based recreational uses.

While residential development is generally prohibited in areas identified as Hazard, development and site alteration may be allowed if *“the hazards can be safely addressed, including access to and from the site, and no new hazards are created or existing hazards aggravated”* and; *“no environmental impacts will result”* as demonstrated through an Environmental Impact Study.

The development proposal seeks to re-define the Floodplain limits on the Subject Property in order to establish a development envelope that can appropriately accommodate a suitable residential dwelling unit. It is the policy of the Official Plan that:

*“minor alteration of Hazard Lands mapping, as interpreted by the Town, in consultation with the appropriate Conservation Authority, may occur **without** amendment to the*

Official Plan. It is the intent of the Town to include more detailed Hazard Land mapping in the implementing Comprehensive Zoning By-law as provided by the Conservation Authorities”.

A Zoning By-law Amendment has been submitted in order to facilitate the development proposal and address the delineation of the flood hazard limits on the Subject Property. A Flood Hazard Study was completed that established the developable limits on the Subject Property. Further, the study provided mitigation measures that will flood proof the development envelope on the property and will ensure safe access and no adverse impact on existing flood conditions,

Town of Blue Mountains Zoning By-law 2018-65

The Subject Property is currently zoned Residential One (R1-1) and Hazard (H) in accordance with the Town of Blue Mountains Zoning By-law 2018-65. The R1-1 Zone permits for a single family detached dwelling and applies a number of development standards which regulate minimum lot area, minimum lot frontage, side yard setbacks, lot coverage and maximum building height. The H Zone does not permit for any buildings or structure and only allows for passive recreational uses.



FIGURE 1: AERIAL PHOTO OF SUBJECT PROPERTY (SUBJECT PROPERTY)

In order to establish the development proposal a Zoning By-law Amendment is required. The proposed Amendment will redefine and rezone portions of the Hazard (H) Zone to the Residential One (R1-1-X) Zone and will provide for a site-specific exception related to a reduced side yard setback. The proposed development provides for a side yard setback of 1.60 metres whereas 2.0

metres is required. The reduced setback will create more suitable building envelope that will efficiently use and maximize the developable limits of the site lands and as well as establish an appropriately sized dwelling that is consistent with the character of the existing surrounding community and adjacent residential uses. The Amendment is based on the findings of the technical studies submitted in support of the proposal. A proposed Draft Zoning By-Law Amendment has been included with this submission.

For the reasons stated above, the proposed amendment meets the general intent and purpose of the Zoning By-law, and the proposed amendment to facilitate the development proposal is appropriate and in keeping with applicable policy.

PLANNING OPINION & CONCLUSION

In its current form, and under the existing policy regime, the Subject Property represents an underutilization of finite land resources within a Settlement Area in the Town of Blue Mountains and an underachievement of development opportunities of an existing lot of record. The vast majority of the site is zoned Hazard (H) Zone leaving only a small portion in the northeast corner being zoned for development. Effectively, the Hazard overlay sterilizes the development of the site in a manner commensurate of adjacent properties and/or precludes the ability of the landowner to establish an appropriately sized single detached dwelling on a residentially designated and zoned property.

Based on the above, the application seeks to redefine the extent of these zones to establish a more appropriate development envelope which has been supported through technical study and analysis and is deemed to be feasible without impact to significant natural heritage features/functions and satisfies natural hazard concerns.

The Application is in keeping with the Planning Act RSO 1990, is consistent with the Provincial Policy Statement, 2020, and conforms to the County of Grey Official Plan, the Town of The Blue Mountains Official Plan and generally complies to the Town of The Blue Mountains Zoning By-law 2018-65As such, the proposed development provides for an appropriate modification to the By-law represents good planning, is in the public interest, and should be approved.