



Staff Report

Planning and Development Services – Planning

Report To: Committee of The Whole
Meeting Date: May 15, 2017
Report Number: PDS.17.46
Subject: Consent Application B06-2017 for Lot Addition (Tyrolean Village Resorts)
Prepared by: Denise Whaley, Planner II

A. Recommendations

THAT Council receive Staff Report PDS.17.46, Consent Application B06-2017 for Lot Addition (Tyrolean Village Resorts), for the lands known as Part of Lot 6, Plan 824, RP16R10341 Part 1; and

THAT Council approve application No. B06-2016, subject to the conditions in Attachment #2 to Staff Report PDS.17.46.

B. Overview

The purpose of this report is to provide an overview of this application for lot addition, which requests sever 1660 square metres from one property to add to the adjacent lot. A public meeting for this application was held on April 24, 2017. No issues were raised through the public and agency consultations, and after a planning review, staff recommend approval of this application. A draft decision is attached to this report as Attachment #2.

C. Background

The applicant would like to sever land from one lot to add to the adjacent lot ("lot addition") on Arlberg Crescent. The purpose of the lot addition is improve the development potential on the adjacent lot. Both lots are impacted by the existing the slope topography, which limits the potential building areas.

Property Location

The subject lands consist of a vacant property at the end of Arlberg Crescent, as shown in Figure 1. The lands are in an area of other residential dwellings (including semis, triplexes etc.) and Short Term Accommodation uses. Municipal water and sewer area available on Arlberg Crescent.

Figure 1: Location Map

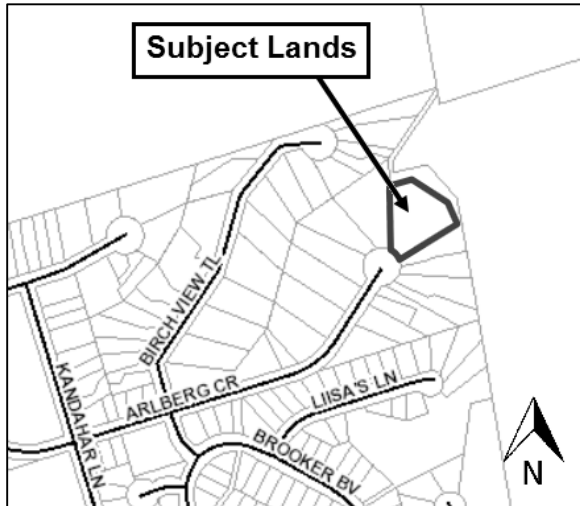


Figure 2: Aerial Photo of Subject Lands

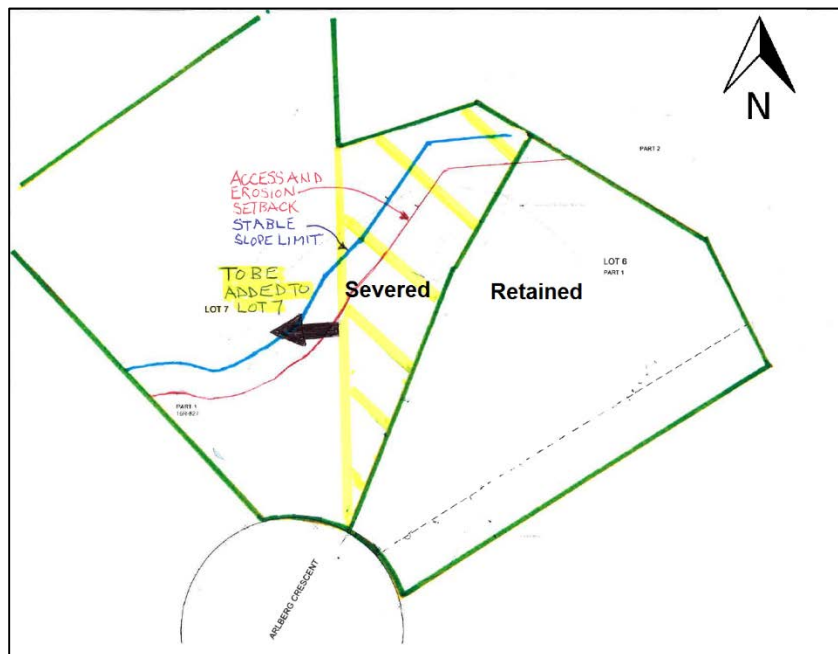


Details of the Proposal

The proposal is to sever a portion of land, approximately 1660 square metres in area, and add it to the adjacent lot to the west. The proposed severed land is irregular and does not have any road frontage. The retained land would still have 25 metres of frontage on Arlberg and be 4000 square metres in area. A sketch of the proposal is shown in Figure 3. Note that this application is for lot addition only and does not increase the number of lots.

In support of this proposal, agent for the applicant, David Slade, land use planning consultant, also submitted a planning letter explaining the proposal, and a letter from Soil Engineering Ltd. Mapping submitted shows the engineer recommended development limits for a building envelope for both properties that keeps development away from the slope. Figure 3. Shows the stable slope limit and recommended setback.

Figure 3: Severance Sketch



Public Meeting

A public meeting was held April 24, 2017. Comments received from the County of Grey, Grey Sauble Conservation and Historic Saugeen Metis did not identify any concerns. No comments were received from the public. All comments are attached to this report as Attachment 1.

D. Analysis

Land Use Policy Review

Provincial Policy Statement (PPS 2014)

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. As this proposal for a lot addition does not propose any new uses, there are no concerns related to Provincial Policy. The application is consistent with the intent and direction of the Provincial Policy Statement.

Niagara Escarpment Plan

The lands are designated Escarpment Recreation Area in the Niagara Escarpment Plan. This designation recognises areas of existing or potential recreational development associated with the

Escarpment and such areas may include both seasonal and permanent residences. Local Official Plans are expected to provide detailed land use policies and development criteria in these areas that are not in conflict with the provisions of the Niagara Escarpment Plan.

As the proposal does not introduce new potential land uses, beyond what is already permitted, the proposal does not conflict with the Niagara Escarpment Plan.

Official Plans

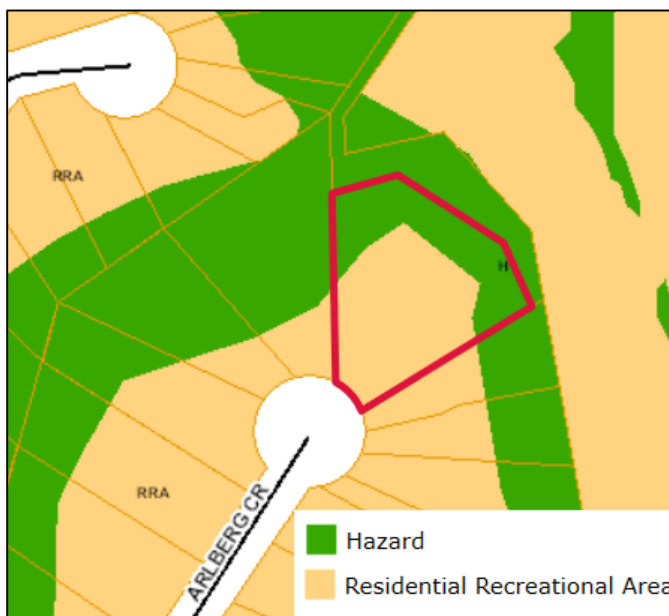
Grey County Official Plan

The lands are designated **Recreational Resort Area** and **Hazard** in the Grey County Official Plan. The Recreational Resort Area designation recognizes settlement areas in a defined development area, specific recreational amenities, residential development and serviced with full municipal services (sewer and water). No development is permitted within the Hazard designation.

Town of The Blue Mountains Official Plan

The lands are designated **Residential Recreational Area** and **Hazard** in the Town's Official Plan, The **Residential Recreational Area** permits a variety of residential uses. As previously noted in this report, no development is permitted within the Hazard designation. Section D4.2.2 provides for boundary adjustments where no new building lot is created. Policies further state that Council shall be satisfied that the boundary adjustment will not affect the viability of the use of the properties affected as intended by the Official Plan. In this case, the proposal seeks to increase the viability of the two lots by increasing the buildable area on one, without compromising the subject lands.

Figure 4: Official Plan Map



Staff are satisfied that the application for lot addition is consistent with the intent and direction of both Official Plans.

Township of Collingwood Zoning By-law 83-40

The property is zoned Residential Fifth Density Exception with a Holding Symbol (R5-43-H) with a portion of Hazard lands (H). The R5 zone allows for horizontally attached residential units and Exception 43 limits development of the property to three units. A holding symbol was placed on the property in a zoning by-law amendment 2013-10, when the lands were rezoned as a condition of a consent that severed lands at the rear of the property (northeast portion). The Holding symbol may be removed with the execution of a Site Plan Agreement. The adjacent property that is proposed to receive the lot addition is also zoned R5-43 and Hazard. No development is permitted within the hazard area.

The lands are also within the Short Term Accommodation exception area, identified by Schedule A-2 of By-law 2009-03.

Staff are satisfied that the proposal for lot addition conforms to the provisions of the zoning by-law.

Conclusion

Staff are satisfied that the proposal is consistent with the Provincial Policy Statement, does not conflict with the Niagara Escarpment Plan, conforms with the intent and direction of the Official Plans and complies with the Zoning By-law. No issues were raised at the public meeting. Staff recommend approval of this application and a draft decision is attached to this report for Council's consideration.

E. The Blue Mountains Strategic Plan

The recommendations in this report support the following goals and objectives:

Goal #3 - Support healthy lifestyles, Objective #3, Manage Growth and Promote Smart Growth.

F. Environmental Impacts

None.

G. Financial Impact

None.

H. In consultation with

Agencies, the public and internal staff were consulted through the Public Notice process.

I. Attached

1. Comments Received
2. Draft Decision

Respectfully Submitted,

Denise Whaley, MSc MCIP RPP
Planner II

Michael Benner, MCIP RPP
Director of Planning and Development Services

For more information, please contact:
Denise Whaley, Planner II
dwhaley@thebluemountains.ca
519-599-3131 extension 262



Planning and Development

595 9th Avenue East, Owen Sound Ontario N4K 3E3
519-372-0219 / 1-800-567-GREY / Fax: 519-376-7970

April 7th, 2017

Denise Whaley
Town of The Blue Mountains
Planning and Development Services
PO Box 310, 32 Mill Street
Thornbury, Ontario N0H 2P0
*Sent via E-mail

**RE: Application for Consent
Plan 824, Part of Lot 6, RP16R10341, Part 1
Town of The Blue Mountains (formerly the Township of Collingwood)
Owner/Applicant: Tyrolean Village Resorts Ltd.**

Dear Ms. Whaley,

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

The purpose and effect of the subject application is to sever a portion of land, approximately 1660 square metres in area, and add it to the adjacent lot. The portion of land is irregular and does not have any road frontage. The retained land would still have 25 metres of frontage on Arlberg and be 4000 square metres in area. Note that this application is for lot addition only and does not increase the number of lots.

Schedule A of the OP designates the property as 'Recreation Resort Area'. Section 2.6.7(2) of the OP states:

New development in the Recreational Resort designation 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 and areas with development potential within the existing designation or settlement area.

The proposed land severance will facilitate townhouse development on Lot 6 and the adjacent Lot 7. In doing so, this will promote development within the 'Recreation Resort Area' and accommodate existing areas with development potential. Therefore, the subject application conforms to the above noted policy.

Page 2

April 7th, 2017

Appendix B of the OP designates a portion of the property as 'Significant Woodlands'. Section 2.8.4(1) of the OP states that no development or site alteration may occur within 'Significant Woodlands' or their adjacent lands unless it has been demonstrated through an Environmental Impact Study (EIS) there will be no negative effects on natural features.

In this case, an EIS may not be required because the two lots a part of the subject application already existed. These comments should not influence any other authority from requesting an EIS. Should development be proposed, we recommend comments are received from the CA.

Provided the severed lands are added to the abutting lands and comments are received from the CA prior to development, County planning staff have no further 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 do not hesitate to contact me.

Yours truly,

A black rectangular redaction box covering the signature of Stephanie Lacey-Avon.

Stephanie Lacey-Avon
Planner
(519) 372-0219 ext. 1296
stephanie.lacey-avon@grey.ca
www.grey.ca

From: [Andrew Sorensen](#)
To: [Corrina Giles](#)
Cc: [John McGee](#); [Denise Whaley](#)
Subject: B06-2017 Lot Addition -- Lot 6, Plan 824 Arlberg Crescent
Date: April 24, 2017 11:02:46 AM

Dear Ms. Giles:

This is to advise that the GSCA has no objection to the noted consent application for a minor lot addition. The existing hazard zone should remain in effect.

Future development on the site will require a permit from our office under Ontario regulation 151/06.

If any questions should arise, please feel free to call me.

Regards,

Andrew J. Sorensen
Environmental Planning Co-ordinator
Grey Sauble Conservation Authority
#237897 Inglis Falls Road, RR#4, Owen Sound, ON N4K 5N6
Phone: 519-376-3076 ext. 227 Fax: 519-371-0437
www.greysauble.on.ca a.sorensen@greysauble.on.ca

DISCLAIMER: This e-mail contains legally privileged information intended only for the individual or entity named in this message. If the reader of this message is not the intended recipient, or the agent responsible to deliver it to the intended recipient, you are hereby notified that any review, dissemination, distribution or copying of the communication is prohibited. If this communication was received in error, please notify us by reply e-mail and delete the original message.

From: [Lands and Resources Consultation Coordinator](#)
To: [Denise Whaley](#)
Subject: Request for Comments - Blue Mountains (Tyrolean Village Resorts Ltd.) Land Severance
Date: March 31, 2017 10:11:30 AM

Your File: B06-2017
Our File: Blue Mountains Municipality

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 saugeenmetisadmin@bmts.com

This message is intended for the addressees only. It may contain confidential or privileged information. No rights to privilege have been waived. Any copying, retransmittal, taking of action in reliance on, or other use of the information in this communication by persons other than the intended recipient(s) is prohibited. If you have received this message in error, please reply to the sender by e-mail and delete or destroy all copies of this message.



DRAFT

The Corporation of the Town of The Blue Mountains

Decision on Consent Application File No. B06-2017

Owner / Applicant: Tyrolean Village Resorts Inc.

Purpose / Effect: The proposal is to sever a portion of land, and add it to the adjacent lot ("lot addition").

Legal Description: Plan 824, Part of Lot 6, RP16R10341, Part 1 (formerly the Township of Collingwood).

Severed Parcel: Frontage: 0 m Depth: 83 m (irregular) Area: 1660 sq m

Retained Parcel: Frontage: 25 m Depth: 83 m (irregular) Area: 4000 sq m

Road Access: Arlberg Cres. (opened and maintained municipal road)

Municipal Water: Yes **Municipal Sewer:** Yes

Decision: **Granted Provisional Consent**

Date of Decision: **May 29, 2017** (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.

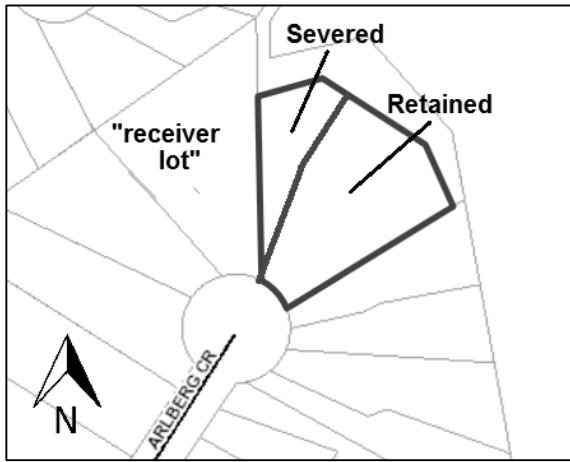
Notice: The last date for appealing this decision or any of the conditions is: **June 20, 2017**

If provisional consent is given, then the following conditions must be met by May 29, 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. That the severed parcel be deeded as a lot addition only, to the property abutting to the west in accordance with Section 50 (3 or 5) of the Planning Act, R.S.O. 1990;
4. That any mortgage on the property be discharged from any land being severed and for any lands to be added to a lot with a mortgage, that any mortgage shall be extended onto the additional lands; and
5. 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.

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

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: May 31, 2017