



Staff Report

Planning and Development Services – Planning Division

Report To: Special Meeting Committee of the Whole
Meeting Date: May 6, 2019
Report Number: PDS.19.40
Subject: Windfall Mountain House Phase 2 – Removal of Holding ‘-h’ Symbol
Prepared by: Shawn Postma, Senior Policy Planner

A. Recommendations

THAT Council receive Staff Report PDS.19.40, entitled “Windfall Mountain House Phase 2 – Removal of Holding ‘-h’ Symbol”;

AND THAT Council enact a Zoning By-law to remove the Holding ‘-h’ Symbol for Phase 2 Windfall Mountain House imposed by the Local Planning Appeal Tribunal (LPAT) Order PL150741 on Block 58 16M-42.

B. Overview

This report examines the Holding “-h” requirements for the Windfall Mountain House site and provides a recommendation to remove the Holding “-h” symbol to permit Phase 2 of the development in accordance with Accepted for Construction drawings and site plan agreement.

C. Background

Windfall Mountain House is an approved 230 residential unit project consisting of 2-storey, 3-storey and 4-storey low-rise apartment style condominium units located on a 4.9 ha parcel at the north-west corner of Grey Road 19, Grey Road 21 and Mountain Road. The subject lands are legally described as Block 58, 16M-42

Phase 1 is nearing completion and consists of four buildings.

Phase 2 is seeking approvals to begin construction and consists of four buildings and the private recreational area.

Phase 3 will be developed in the future, with no anticipated date at this time. Phase 3 consists of the final four buildings representing the final phase of the development.

An Official Plan Amendment, Zoning By-law Amendment and Site Plan Agreement were approved by the Ontario Municipal Board (OMB) in 2016 with details being finalized over the next couple of years resulting in a Final Order issued by the Local Planning Appeal Tribunal

(LPAT) in June 2018. The Zoning By-law placed a Holding '-h' symbol on the lands save and except for the Phase 1 lands which had received Site Plan Approval and a Site Plan Agreement.

Windfall Mountain House has now received 'Accepted for Construction' approval on the detail engineering design, with an executed Site Plan Approval and Site Plan Agreement expected shortly.

The purpose of this report is to evaluate the requirements of the Holding '-h' symbol for the purposes of constructing Phase 2 of the Windfall Mountain House project.

D. Analysis

The Subject Lands are designated Residential-Recreation-Area under the Town of The Blue Mountains Official Plan. Exception B3.7.6.5 (As enacted by OMB order PL150741 dated October 5, 2016) applies to these lands and limits the lands to a maximum of 230 units in twelve separate buildings. Further limitations are placed on height, building locations, and prohibition of Short Term Accommodation uses. Planning Staff are satisfied that the proposed Mountain House Phase 2 development conforms to the Town of The Blue Mountains Official Plan.

The lands are zoned Residential R8-252-h in the Township of Collingwood Zoning By-law. The Residential R8 permits apartment units, and exception 252 provides site specific lot development requirements to ensure the lands are developed in accordance with the approved plans.

The lands are zoned Residential R3-109-h29 in the Blue Mountains Zoning By-law 2018-65. The Residential R3-109-h29 zone mirrors the Residential R8-252-h zone of 83-40 with the same Exception and Holding '-h' requirements.

As the Blue Mountains Zoning By-law 2018-65 is not yet in full force and effect a Holding '-h' removal By-law must be enacted to By-law 83-40 and 2018-65.

Planning Staff are satisfied that the proposed Phase 2 Site Plan complies with the Town of The Blue Mountains Zoning By-law 2018-65 and Township of Collingwood Zoning By-law 83-40.

Site Plan Approval for Phase 2 of Windfall Mountain House is being considered under Planning Staff Report PDS.19.45 with the Director of Planning and Development Services having authorization to grant Site Plan Approval on behalf of Council. It is noted that the Site Plan Approval is commonly issued with associated conditions. The conditions to Site Plan Approval require that the development proceed in accordance with the Approved Site Plan and Accepted for Construction drawings, and that a Site Plan Agreement is executed between the Town and Windfall. Full Site Plan Approval and Building Permits are not available until all conditions have been met to the satisfaction of the Town. At this time a draft agreement has been prepared. Cost Estimates to determine amounts required for securities and Engineering Works Fee have not yet been finalized, but will be identified in the Final Site Plan Agreement.

Planning Staff are satisfied that the requirements of the Holding '-h' symbol will be fulfilled and that it is appropriate now to remove the Holding '-h' symbol. Site Plan Approval will be granted conditional upon the execution of a Site Plan Agreement. The protections to the Town to ensure the orderly development of the lands are adequately covered in the Site Plan Approval and the Site Plan Agreement when executed.

E. The Blue Mountains Strategic Plan

Goal #3: Support Healthy Lifestyles
Objective #1 Promote the Town as a Healthy Community
Objective #3 Manage Growth and Promote Smart Growth

F. Environmental Impacts

Nil

G. Financial Impact

Nil

H. In consultation with

Development Engineering Staff, Chief Building Official, Town Solicitor, Director of Planning and Development Services.

I. Public Engagement

The topic of this Staff Report has been the subject of a series of Public Meetings, and Ontario Municipal Board Hearings beginning in 2011 and concluding in 2016. Windfall Mountain House Phase 2 is developing in accordance with the approved plans considered through those processes.

J. Attached

1. Holding '-h' Removal By-law

Respectfully submitted,

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Senior Policy Planner

Nathan Westendorp
Director of Planning and Development Services

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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 "Blue Mountains Zoning By-law 2018-65 "

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 No. 2018-65 and By-law No. 83-40;

And Whereas pursuant to the provisions of Section 36 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. The Zoning By-law of the Blue Mountains being By-law 2018-65, is hereby amended by removing the Holding 'h29' symbol from a portion of the lands lying and being in the Town of The Blue Mountains comprised of Block 58 Registered Plan 16M-42 as indicated on the attached key map Schedule 'A-1'.
2. The Zoning By-law of the Township of Collingwood being By-law 83-40, is hereby amended by removing the Holding 'h' symbol from a portion of the lands lying and being in the Town of The Blue Mountains comprised of Block 58 Registered Plan 16M-42 as indicated on the attached key map Schedule 'A-1'.
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 _____ day of _____, 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 _____ day of _____, 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

 Area Affected by this By-law

