A. Recommendations

THAT Council receive Staff Report PDS.20.44, entitled “Kris Rose Correspondence (remove 0.3 metre reserve)”;

AND THAT Council support in principle a By-law so as to lift a portion the 0.3 metre reserve described as Part of Block 85 Plan 1078, and dedicate and assume the lands as part of the Public Street known as Grand Cypress Lane.

B. Overview

The purpose of this report is to provide Council with a summary of a previously submitted application for consent to create a new lot, decision of council, decision of the Ontario Municipal Board, and request to remove a 0.3 metre (1 foot) reserve along Grand Cypress Lane.

C. Background

At the April 20, 2020 Council Meeting, Council received a request from Kris Rose (on behalf of the property owner David Rose) to reconsider a By-law to lift a 0.3 metre (1 foot) reserve described as Block 85, Plan 1078.

Block 85 Plan 1078 was created with the Monterra Estates Subdivision in 1989. The primary intent of the 0.3 metre reserve is to control access from a public road to private property. In some instances, the reserve can dictate driveway locations, or to prevent access to future development lands (or future phases of development lands) until certain requirements are met. In this case, it would appear, but cannot be confirmed that the intent of this 0.3 metre reserve is to prevent access or further development of the David Rose property along Grand Cypress Lane without further applications, public consultation and Council Approval.

Further applications and public consultation were completed in 2017/2018 resulting in a decision for a new lot creation and zoning by-law amendment as approved by the Ontario Municipal Board in March 2018 (See Attachment 4). Along with its decision to approve the new lot creation, the Ontario Municipal Board issued a number of conditions that were required to
be met prior to the new lot being created. The applicant had one year to clear the conditions. One of those conditions required a By-law be enacted by Council to lift the 0.3 metre reserve. Council considered the request and refused to enact the By-law. There is no opportunity to appeal a decision of Council on a By-law to lift a 0.3 metre reserve. With the conditions of the severance not met, the decision of the Ontario Municipal Board expired and the lands remained in their original state.

Table 1: Below is a summary of the original application submission:

**Figure 1: Property Location and OMB Approved New Lot Creation:**

![Figure 1: Property Location and OMB Approved New Lot Creation](image1.png)

**Figure 2: 0.3 metre Reserve (highlighted in yellow):**

![Figure 2: 0.3 metre Reserve (highlighted in yellow)](image2.png)
Table 1: Project History:

<table>
<thead>
<tr>
<th>Month</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>December 2016</td>
<td>Application for Consent B13-2016 and Application for Zoning By-law Amendment received by Planning Services. Together the applications proposed the creation of a new lot with frontage on Grey Road 19 and Grand Cypress Lane.</td>
</tr>
<tr>
<td>February 2017</td>
<td>Public Meeting held at Town Hall Council Chambers. In response comments were received from Agencies and Area Residents. Agencies had no objections. Area Residents raised concerns with the historical use of the property for STA purposes, proposed lot area and lot frontage is not appropriate, traffic safety, precedence and impact to property values. The minutes of the Public Meeting can be found under Attachment #1.</td>
</tr>
<tr>
<td>April 2017</td>
<td>Planning Staff Report PDS.17.32 (Attachment #2) was presented to COW summarizing the application review process and provided a recommendation to approve the lot creation and Zoning By-law Amendment subject to conditions.</td>
</tr>
<tr>
<td>April 2017</td>
<td>Council voted on the Staff Recommendation to approve the new lot creation, and the motion was LOST. (Attachment #3) No further motion was considered and the applications were left at a no decision status.</td>
</tr>
<tr>
<td>September 2017</td>
<td>After the prescribed time frame for making a decision on the Consent and Zoning By-law Amendment applications had expired, the Owner appealed the non-decision of Council to the Ontario Municipal Board.</td>
</tr>
<tr>
<td>February 2018</td>
<td>The Ontario Municipal Board considered the application for consent for new lot creation and the application for Zoning By-law Amendment. The Board heard from a land use planner on behalf of the owner and concerns from area residents who chose to attend the hearing as “participants” and to be self-represented.</td>
</tr>
<tr>
<td>March 2018</td>
<td>The Ontario Municipal Board ordered that the appeal is allowed and that provisional consent and Zoning By-law Amendment are approved. One condition of consent recognized that a 0.3 metre (1 foot) reserve exists along the south side of Grand Cypress Lane where the new driveway is proposed to be located. The 0.3 metre reserve must be lifted by By-law approved by the Town. If the 0.3 metre reserve is not lifted, the condition of consent cannot be met, the consent would lapse and the new lot could not be created. At this time Town Operations Staff indicated that an entrance permit would be available for a new lot with driveway access off of Grand</td>
</tr>
<tr>
<td>Date</td>
<td>Description</td>
</tr>
<tr>
<td>----------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>September 2018</td>
<td>Planning Staff Report PDS.18.90 (Attachment #5) was presented to COW summarizing the application status to date, OMB decision and request to lift the 0.3 metre reserve. Staff Recommended that Council enact a By-law to lift the 0.3 metre reserve.</td>
</tr>
<tr>
<td>September 2018</td>
<td>Council refused the request to lift the 0.3 metre reserve. Minutes from the September 10, 2018 meeting and Resolution of Council are provided under Attachment #6 and Attachment #7</td>
</tr>
<tr>
<td>November 2018</td>
<td>The Town enacted a new comprehensive Zoning By-law for the municipality. The new comprehensive Zoning By-law carries forward the provisions of the Ontario Municipal Board approved Zoning required for the new lot creation.</td>
</tr>
<tr>
<td>March 2019</td>
<td>Provisional Consent for the new lot creation expires on March 8, 2019.</td>
</tr>
<tr>
<td>April 2020</td>
<td>Deputation is received by Kris Rose (on behalf of David Rose) requesting Council to reconsider the application for new lot creation and seek preliminary support prior to initiating the formal application process. Council receives the request and directs staff to provide a summary on the history of the file.</td>
</tr>
</tbody>
</table>

The Owner wishes to re-submit a new Application for Consent to create a new vacant residential lot identical to the lot previously approved by the Ontario Municipal Board. Prior to initiating the application process, the Owner is seeking guidance from the current Council on whether or not a By-law to lift the 0.3 metre reserve could now be supported.

D. Analysis

Comments have been received from the Town’s Operations Staff that a suitable entrance can be located off of Grand Cypress Lane. An Entrance Permit and design to Town Standards are required. It is further noted by Operations Staff that for safety reasons the entrance would need to be located within a specific area. This area would start at the intersection of the rear lot line/Grand Cypress road allowance and end at a point 9.0 metres east towards Grey Road No. 21 (see Figure 3 below).
Planning staff previously considered the request to lift the 0.3 metre reserve and presented a report and draft By-law to the September 10, 2018 Committee of the Whole meeting recommending that Council lift the 0.3 metre reserve. Planning staff’s opinion on this matter has not changed as previously presented to Council through Staff Report PDS.18.90. (See Attachment #5)

The lifting of a 0.3 metre reserve must be completed by By-law enacted by Council. Staff note that there is no public consultation required to lift a reserve, and that there is no ability under the Planning Act for a decision of Council on lifting a reserve to be appealed to the LPAT (Local Planning Appeal Tribunal).

It is therefore recommended that Council consider supporting in principle a By-law so as to lift a 9.0 metre section of the 0.3 metre reserve described as Block 85 Plan 1078, and dedicate and assume the lands as part of the Public Street known as Grand Cypress Lane.

It should be noted that support at this time does not imply that a new lot can or cannot be created. New lot creation is subject to an application process, decision of Committee of Adjustment and if granted, the satisfying of conditions. Driveway access may be considered from Grand Cypress Lane (as described in this report) or an alternative driveway access (such as a shared driveway from Grey Road 21) could also be considered subject to County of Grey Entrance requirements.

Furthermore, should Council authorize the partial removal of the 0.3 m reserve it will be necessary to describe this removal with a deposited Reference Plan (survey). Enactment of the lifting 0.3 metre reserve By-law will be timed through the consent process and after the Reference Plan has been completed. Any cost associated with preparing said survey (or the partial remove of the road reserve) should be borne in full by the proponent. Attachment #8 provides a draft version of the lifting 0.3 metre reserve By-law.
E. The Blue Mountains Strategic Plan

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

F. Environmental Impacts

Nil

G. Financial Impact

Nil

H. In consultation with

Trevor Houghton, Manager of Community Planning
Jim McCannell, Manager of Roads and Drainage
Nathan Westendorp, Director of Planning and Development Services

I. Public Engagement

The topic of this Staff Report has not been subject to a Public Meeting and/or a Public Information Centre as neither a Public Meeting nor a Public Information Centre are required. Comments regarding this report should be submitted to Shawn Postma, Senior Policy Planner at planning@thebluemountains.ca

It is noted that this report is related to a previous application process and Public Meeting in February 2017. Planning Staff provided notice of this Staff Report to area residents who submitted letters or commented at the Public Meeting and provided their email contact information.

J. Attached

1. February 22, 2017 Public Meeting Minutes
2. Planning Staff Report PDS.17.32 (Staff Report on Application for Consent and ZBA)
3. April 2017 Council Resolution
4. March 2018 Ontario Municipal Board Decision
5. Planning Staff Report PDS.18.90 (Staff Report on Request to Lift 0.3 metre Reserve)
6. September 10, 2018 Minutes
7. September 2018 Council Resolution
8. Draft By-law to Lift 0.3 metre Reserve

Respectfully submitted,
April 19, 2017

Moved by: Joe Halos               Seconded by: Michael Martin

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 conditional 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 the conditions of Consent include increased landscaping on Grand Cypress Lane; 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, LOST

CERTIFIED TO BE A TRUE COPY

[Signature]

Krista Royal, Deputy Clerk

This document can be made available in other accessible formats as soon as practicable and upon request.
Ontario Municipal Board
Commission des affaires municipales
de l’Ontario

ISSUE DATE: March 08, 2018 CASE NO(S).: PL171012

PROCEEDING COMMENCED UNDER subsection 34(11) of the Planning Act, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: David Rose
Subject: Application to amend Zoning By-law No. 83-40 - Refusal or neglect of the Town of The Blue Mountains to make a decision

Existing Zoning: Rural Estate Residential ‘RERc’ zone
Proposed Zoning: Residential ‘R3’ zone and Residential ‘R3-279’ zone
Purpose: To permit a new vacant residential lot
Property Address/Description: 238 Grey Road 21
Municipality: Town of The Blue Mountains
Municipality File No.: P2428
OMB Case No.: PL171012
OMB File No.: PL171012
OMB Case Name: Rose v. The Blue Mountains (Town)

PROCEEDING COMMENCED UNDER subsection 53(14) of the Planning Act, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: David Rose
Subject: Application for Consent - Failure of the Town of The Blue Mountains to make a decision

Purpose: To permit a new vacant residential lot
Property Address/Description: 238 Grey Road 21
Municipality: Town of The Blue Mountains
Municipal File No.: B13-2016
OMB Case No.: PL171012
OMB File No.: PL171013

Heard: February 26, 2018 in Thornbury, Ontario
APPEARANCES:

<table>
<thead>
<tr>
<th>Parties</th>
<th>Counsel</th>
</tr>
</thead>
<tbody>
<tr>
<td>David Rose</td>
<td>William Thomson</td>
</tr>
<tr>
<td>Town of the Blue Mountains</td>
<td>Leo Longo</td>
</tr>
</tbody>
</table>

DECISION DELIVERED BY S. TOUSAW AND ORDER OF THE BOARD

INTRODUCTION

[1] David Rose (the “Appellant”) submitted applications for Consent and Zoning By-law Amendment (“ZBA”) to the Town of the Blue Mountains (the “Town”) affecting Part Lot 18, Concession 1, known as 238 Grey Road 21 (the “property”) in the Town. The Appellant filed an appeal against the Town’s failure to make a decision on the applications within the statutory time limit.

[2] The property is a corner lot of 0.28 hectares (“ha”) on the southwest corner of Grey Road 21 (“Rd. 21”) and Grand Cypress Lane (“GC Lane”).

[3] The Consent proposes to sever a vacant lot for a new dwelling on the north part of the property (“severed lot”) with approximate dimensions of 19.8 metres (“m”) wide, 60.9 m deep (minus a road widening), and 990 square metres (“sq m”) area. The Consent proposes to retain the south part of the property (“retained lot”) with approximate dimensions of 25.8 m wide, 60.9 m deep (minus a road widening), and a 1,366 sq m area. The retained lot contains an existing dwelling.

[4] The ZBA proposes to zone both the severed lot and retained lot to Residential ‘R3’ and add an exception to permit the minimum lot frontage of the severed lot to be 17.2 m.

[5] The Board will approve these applications for the reasons set out in this...
Decision.

LEGISLATIVE TESTS

[6] In making a decision under the Planning Act (the “Act”) with respect to these appeals, the Board must have regard to matters of provincial interest as set out in s. 2 of the Act, and must have regard to the decision of the approval authority and the information considered by the approval authority under s. 2.1(1) of the Act. The decision must be consistent with the Provincial Policy Statement, 2014 (the “PPS”) and must conform with or not conflict with the Niagara Escarpment Plan, 2017 (the “NEP”) under s. 3(5) of the Act.

[7] In addition to the above, the ZBA must conform with the Grey County Official Plan (the “GCOP”) and with the Blue Mountains Official Plan (the “BMOP”) under s. 24(1) of the Act. The Consent must have regard for the provisions of s. 51(24) of the Act.

ISSUES AND FINDINGS

[8] Kristine Loft, Registered Professional Planner, was called by the Appellant and qualified to provide opinion evidence in the area of land use planning. Ms. Loft testified in support of the applications. The Town did not call any witnesses.

[9] Three participants testified in opposition to the applications. Stephen Moysey, Vincent McEwan and Darlene Kutcy each own and reside in dwellings within the Monterra Estates Phase 1 subdivision (“Monterra 1”) to the west of the property. GC Lane is the east entrance to Monterra 1 from Rd. 21. The only other entrance to Monterra 1 is at its northwest corner from Monterra Road. Monterra 1 consists of 80 residential lots, most of which are occupied by a detached dwelling and a few lots remain vacant. The entire subdivision is surrounded by the fairways and greens of the Monterra Golf Course.
The property subject to these applications is situated approximately 148 m east of the nearest lot in Monterra 1 on the south side of GC Lane (owned by Mr. Moysey), and approximately 70 m east of the nearest lot on the north side of GC Lane (owned by Mr. McEwan). The intervening land consists of treed areas and cart paths associated with the golf course.

The participants’ concerns include lot size compatibility with Monterra 1, the potential increase in existing seasonal flooding when combined with the proposed 32 lot subdivision (“Monterra 2”) to the north of the property and east of Monterra 1, and traffic and safety at the intersection and along GC Lane.

Ms. Loft described the surrounding uses to the north and west noted above, plus two 4 ha parcels to the south of the property within the Town, and a variety of uses mostly on large lots within a Rural designation to the east across Rd. 21 in the adjacent municipality, the Town of Collingwood. Ms. Loft took the Board through the relevant policy documents, and noted the similar conclusions to hers found in the Town’s staff report, recommending approval of the applications, to Council. Ms. Loft’s planning evidence is summarized as follows.

Ms. Loft considers the resulting lots on full services to support a similar form of detached dwelling as exists or is planned for surrounding lands. The land use designation and proposed zone are the same for the property as the surrounding residential development and the proposed Monterra 2 lots to the north. A 5 m wide strip of land along the front of the severed and retained parcels will be dedicated to Grey County (the “County”) as a road widening, along with a 10 m sight triangle at the intersection, and a 0.3 m reserve along the east side of the severed parcel to prevent access to Rd. 21. The reduced 17.2 m frontage of the severed lot is less than the R3 zone requirement of 21 m owing to the reduced 19.85 m width of the lot and the dedication of the sight triangle to the County. Both the severed and retained lot are serviced with Town water and sewer from GC Lane, and a service easement will be required across the severed lot in favour of the retained lot.
[14] The PPS promotes efficient land use patterns, a range and mix of housing and cost-effective servicing utilization. Development and intensification are directed to settlement areas for the efficient use of land and services. An appropriate range and mix of housing types are to be accommodated for the regional market area. Ms. Loft concludes that the creation of one additional infill-type residential lot in a settlement area on full services is consistent with the PPS. Ms. Loft considers the applications to be consistent with the PPS.

[15] The property and surrounding lands are designated as Escarpment Recreation Area in the NEP where seasonal and permanent residences are permitted. Development is to protect and maintain community character, hydrologic and natural heritage features, cultural heritage resources and scenic resources. A new lot is permitted for a dwelling subject to conformity with the GCOP and BMOP.

[16] Under cross-examination, Ms. Loft advised the Board that this consent does not constitute ribbon development which is discouraged by the NEP, and that it will maintain and enhance community character by the addition of one detached dwelling similar to dwellings found in the surrounding area. Ms. Loft did not find the NEP requirement to consider vacant lots in the area to be a bar to the applications proceeding. She noted that no study was completed but that she considers that the few vacant lots existing in the area and the Town’s processing of the draft approved subdivision for Monterra 2 is evidence that new lots are required. Ms. Loft considers the applications to conform with and to not conflict with the NEP.

[17] The property is designated as Recreational Resort Area within the settlement area identified in the GCOP. Land division is to be orderly and contiguous, and not conflict with the established pattern of the area. The land use is to be compatible with existing and future surrounding uses and connected to full services. Access will be restricted on County Roads. Ms. Loft considers the applications to conform with the GCOP.

[18] In the BMOP, the property is designated as Residential Recreational Area within
the Town settlement area. A variety of residential uses are permitted including
detached dwellings, semi-detached dwellings, townhouses and low-rise multiple unit
buildings. Development is to be clustered and compact and interspersed with open
space and recreational uses. Housing density may not exceed 10 units/ha. Consents
may be considered subject to limiting change to the character of existing
neighbourhoods. Development need not mimic existing housing, but must fit with and
reinforce the stability and character of the area. Several related criteria with reference
to neighbourhood compatibility include form, density, location, massing, height,
coverage, setbacks, frontages, rear yards, drainage, access, privacy, landscaping, and
traffic.

[19] Ms. Loft considers all of the BMOP matters appropriately addressed by the
applications. Although located at one of the entrances to Monterra 1, the property is
relatively removed from the subdivision by the open space and trees of the golf course.
The same R3 zoning standards will apply to the severed lot as exist on surrounding lots
and as proposed in Monterra 2. The proposed lots are not dissimilar to the lot widths
and areas typical in Monterra 1 and proposed in Monterra 2. Ms. Loft expects similar
forms of housing permitted by the BMOP to be proposed in future for the 4 ha parcels to
the south of the property.

[20] A specific BMOP policy requires new corner lots to be “generally no less than
80% of the average lot frontages on the same side of the public road” to assist with
appropriate building setbacks from the exterior side lot line, being GC Lane in this case.
There are no existing small residential lots along Rd. 21 in the vicinity of the property,
but when considering lots along GC Lane, Ms. Loft confirmed general conformity with
this policy. The standard exterior side yard will apply to the severed corner lot and
ensure that the building is located an appropriate distance from GC Lane. Ms. Loft
considers the applications to conform with the BMOP.

[21] Ms. Loft concludes that the applications are consistent and/or conform with all
applicable policies, have regard for the requirements of s. 51(24) of the Act, and
represent good planning. Ms. Loft recommended that the revised ZBA (Exhibit 15) and revised Consent with conditions (Exhibit 16) be approved.

[22] When pressed by Counsel for the Town, Ms. Loft agreed that the existing 0.3 m reserve along the south side of GC Lane abutting the severed lot will need to be lifted by a by-law approved by the Town. Ms. Loft confirmed that as a condition of Consent, if the Town did not pass such by-law, then the Consent would lapse. She further confirmed that it is her experience that municipalities commonly lift such reserves after the appropriate location of an entrance has been determined.

[23] The Board accepts the uncontradicted planning evidence of Ms. Loft, as supported by the favourable Town staff recommendation reported to Town Council. Council did not provide its rationale for not making a decision on the applications, although the Board is aware from the evidence that Council received opposition from area residents for reasons similar to the Participants’ evidence to the Board.

[24] The Board finds the proposed lot sizes to be similar to typical lots within Monterra 1 and proposed in Monterra 2 and will support a dwelling of similar character to area dwellings. The property is somewhat separated from both of these subdivisions either by the golf course or GC Lane.

[25] With photographs and testimony, the Participants confirmed that substantial seasonal flooding occurs on the golf course and may sometimes encroach onto private residential properties. While the Board heard that sump pumps are stressed in the area, there was no evidence of dwellings being flooded. The Board notes that the plan for Monterra 2 includes two stormwater management facilities. For the severed lot, a permit will be required from the Grey Sauble Conservation Authority if grading, site alteration or construction are proposed within its regulated area, and the Town will require an engineered drainage plan for the severed lot.

[26] The Board heard no evidence of unusual traffic and safety issues along GC Lane or at its intersection with Rd. 21. Residents of Monterra 1 travel this route regularly by
car, bicycle or foot and are familiar with the presence of pedestrians, golf carts, and cars stopped at the community mailboxes. These applications will add one private driveway to GC Lane at a suitable setback from the intersection to the satisfaction of the Town. The County did not express concerns with the driveway provided it connects with GC Lane to the west of the sight triangle.

[27] The Board finds the Consent and ZBA to satisfy all of the legislative tests and will approve the applications.

ORDER

[28] The Board orders that the appeal is allowed and provisional Consent is to be given in the form of and subject to the conditions contained in Exhibit 16 set out in Attachment 1 to this order.

[29] The Board orders that the appeal is allowed and the ZBA is approved in the form of Exhibit 15 set out in Attachment 2 to this Decision.

“S. Tousaw”

S. TOUSAWS
MEMBER

If there is an attachment referred to in this document, please visit www.elto.gov.on.ca to view the attachment in PDF format.

Ontario Municipal Board
A constituent tribunal of Environment and Land Tribunals Ontario
Website: www.elto.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248
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:

<table>
<thead>
<tr>
<th>Parcel</th>
<th>Frontage</th>
<th>Depth</th>
<th>Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Severed Parcel</td>
<td>17.2 m</td>
<td>60.96 m</td>
<td>990 sq m</td>
</tr>
<tr>
<td>Retained Parcel</td>
<td>25.8 m</td>
<td>60.96 m</td>
<td>1366 sq m</td>
</tr>
</tbody>
</table>

Municipal Water: Yes      Municipal Sewer: Yes

Decision: Granted Provisional Consent

Date of Decision: ________, 2018 (Consent expires two (2) years from this date)

In making the decision upon this application for Consent, the Ontario Municipal Board 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: ________, 2018

If provisional consent is given, then the following conditions must be met by ________, 2019.

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. The conveyance of a 10 metre by 10 metre triangle at the south-west corner of Grey Road 21 and Grand Cypress Lane to the satisfaction of the County of Grey.
6. That an entrance permit has been obtained for the severed lot from the Town of The Blue Mountains.
7. That a connection to municipal water system is completed.
8. 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.
9. That an easement be obtained as necessary for the provision of servicing to the retained parcel.
10. That a By-law to lift the 0.3 metre reserve along Grand Cypress Lane has been enacted.
11. 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.

Certification

Approved by the Ontario Municipal Board Case: PL171012 Order No.: ____________
The Corporation of the Town of The Blue Mountains

By-Law Number 2018 –

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 Ontario Municipal Board has conducted a hearing in this matter and allowed the appeal, in part;

Now Therefore Zoning By-law 83-40 is hereby amended 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 17.2 metres.”

3. Schedule ‘A1’ is hereby declared to form part of this By-law

The Town is directed to assign an appropriate Zoning By-law number to the foregoing amendment.

APPROVED BY THE ONTARIO MUNICIPAL BOARD. ORDER ________ DATED ________

[Signature]

David Rose
4242-0000-03-010-00-0000
September 24, 2018

Moved by: R.J. Gamble  
Seconded by: Rob Potter

THAT Council receive Staff Report PDS.18.102, entitled “David Rose Request to Lift 1’ (0.3m) Reserve Town of The Blue Mountains”; and

THAT Council refuses the request to lift the 1’ (0.3 metre) reserve described as Block 85, Plan 1068, CARRIED.

CERTIFIED TO BE A TRUE COPY

Krista Royal, Deputy Clerk

This document can be made available in other accessible formats as soon as practicable and upon request.
The Corporation of the Town of The Blue Mountains

By-Law Number 2020 –

Being a By-law to establish a 0.3 metre reserve described as Block 85, Plan 1078 as a highway.

Whereas pursuant to the provisions of Section 31(2) of the Municipal Act, 2001, S.O. 2001 C. 25, as amended, requires a municipality by by-law to establish a highway;

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

1. Block 85, Plan 1078 being a 0.3 metre reserve be established as a highway in the Town of The Blue Mountains.

And Further that this By-law shall come into force and take effect upon the enactment thereof.

Enacted and passed this ___ day of _________________, 2020

_____________________________
Alar Soever, Mayor

_____________________________
Corrina Giles, Clerk

I hereby certify that the foregoing is a true copy of By-law No. 2020-___ as enacted by the Council of The Corporation of the Town of The Blue Mountains on the ___ day of __________, 2020.

Dated at the Town of The Blue Mountains, this ___ day of ____, 2020.

_____________________________
Corrina Giles, Clerk