Staff Report
Planning and Development Services

Report To: Committee of the Whole
Meeting Date: June 16, 2020
Report Number: PDS.20.09
Subject: Recommendation Report - Mountainside Developments Zoning Amendment
Prepared by: Denise Whaley, Planner II

A. Recommendations

THAT Council receive Staff Report PDS.20.09, entitled “Recommendation Report - Mountainside Developments Zoning Amendment”, for the lands known as South Part of Lot 19, Concession 2;

AND THAT Council enact a Zoning By-law Amendment to change the zoning symbol of the property from Residential One (R1-1) to Residential Two Exception with holding symbol (R2-119-h35), to permit the development of five (5) townhouses and two (2) semi-detached dwellings on the property.

B. Overview

This report provides a summary of an application for Zoning By-law Amendment, for the subject properties known as 104 and 108 Settler’s Way. The application proposes to rezone the subject properties to permit the development of five (5) townhouses and two (2) semi-detached houses. After review of the applicable technical and policy matters and the comments received, staff recommend approval of this application as outlined in this report. A draft zoning by-law is attached. This development will require Site Plan Approval from the Town prior to construction.

C. Executive Summary

Application File # P2611

Application Received Date: February 12, 2018
Application Deemed Complete Date: March 15, 2018
Public Meeting: May 14, 2018

Official Plan Designation: Residential Recreational Area RRA
Zoning Bylaw Category: Residential R1-1 (proposed change to R2)

Location: 104 and 108 Settler’s Way (South Part of Lot 19, Concession 2)
Short Term Accommodations: Not Permitted

The Town received an application for zoning by-law amendment to rezone both properties in 2018. The current application seeks permission to build seven (7) dwellings on the lands. Following the public meeting on May 14, 2018, the applicant worked through the issues identified through the public meeting and the technical review process, made several revisions and provided additional engineering and design details to the Town. This report summarizes the information received at the public meeting and the Planning Policy review of the revised proposal. Staff recommend approval of this application and a draft zoning by-law is attached to this report (Attachment #1).

D. Background

Proposal
The initial proposal was to demolish the two existing single detached homes and redevelop the lands with eight (8) townhouses. The two properties would be consolidated in title to allow for the development. As the property’s current zone permits only a single detached dwelling the original zoning by-law amendment application (made under the previous Zoning By-law 83-40) requested to rezone the lands to a medium density zone with a site-specific exception. The exception was requested to reduce the minimum required County Road setback and the rear year setback. The rear yard exception would be required because once the lots are merged, the “front yard” would be identified as the westerly property boundary based on the zoning by-law definitions.

In support of this proposal, the applicant submitted a Planning Report, Cross Section drawings, and a Functional Servicing Report including a Stormwater Management/Drainage component.

This Zoning Amendment application is the first step required before townhouses would be permitted to be established on the lands. If this application is approved, the applicant will still need Site Plan Approval from the Town. In addition, to establish a condominium, further approval is required from the County of Grey and a condominium application would be a separate application after the zoning and Site Plan Approval processes are completed.

Figure 1: Key Map
Location and Description
The subject properties are located on the corner of Settlers Way and Grey Road 19, as shown in the Figure 1: Key Map. The legal description of the lands is South Part of Lot 19, Concession 2, (formerly the Township of Collingwood), Town of The Blue Mountains.

The property is made up of two parcels of land, with a combined total size of approximately 2800 sq. metres. The combined properties have 76 metres of frontage on Settlers Way. Access to the lands is from Settlers Way with no driveway access being made available onto Grey Road 19. It is also noted Settlers Way is a dead-ended road as seen in Figure 2, and only connects to Grey Road 19 through a pedestrian pathway.

It should be noted that at one time, there were four (4) legally separate parcels. The westerly lot (104 Settlers Way) was previously three (3) separate lots which were merged on title. Planning Services staff are not aware of the circumstances for these lots merging.

To the east, north and south of the subject lands are single detached dwellings. North of the subject lands is also a commercial property (Alpine Sports property). To the west is Grey Road 19. On the other side of Grey Road 19 are single detached dwellings. To the north west is a recreational ski facility.

Proposal and Application Updates
Following the public meeting the Town passed a new Comprehensive Zoning By-law 2018-65 which applied different a zone name to the property (R3 became R1-1).

It should be noted that the intent of the two zones is the same. In the Township of Collingwood Zoning By-law 83-40, the common residential zone for Single Detached Dwellings was the
Residential Third Density (R3) zone. The Town’s new Zoning By-law 2018-65 uses the zoning category name Residential One (R1-1) for a zone category that is generally the same as the R3 Zone. Properties within the R3 zone were moved into the R1-1 category in the new Zoning By-law 2018-65.

The proposal has also been revised to address some of the concerns identified by Town staff and the public. The revision removed one of the townhouses on the east side of the properties to a new total of seven (7) units. This means that the proposal now includes one five (5) unit Townhouse block and one block of two (2) semi-detached units. Planning Staff were satisfied that the minor changes to the site plan and reduction of one unit did not warrant an additional public meeting.

The revised proposal now seeks to rezone the lands from the Residential One (R1-1) to the Residential Two (R2) zone with a site-specific exception, with provisions to:

- limit the number of dwelling units to a maximum of seven (7),
- reduce the exterior side yard setback (at Settler’s Way),
- reduce the rear yard setback (east property boundary).

Figure 3: Proposed Updated Site Plan
Staff recommend a Holding Symbol also be applied which would require certain matters be addressed prior to any building permits being issued for the development. Specific details about the zoning by-law amendment proposed is found in the Zoning By-law section of this report.

The updated Site Plan shown in Figure 3 reflects the revisions made to the proposal in response to technical and public comments received. Note the red outlined areas shows where the existing single detached dwellings are located.

Other revisions: Additional parking, in the form of three (3) visitor spaces, was added, and the entrance is now at a 90 degree angle from Settlers Way.

Public Meeting
The Town held the public meeting for this proposal on May 14, 2018. At the public meeting, the applicant made a presentation on the proposal. This video of the Public Meeting, which includes the presentation and public comments, is available on the Town’s website (the Public Meeting starts at approximately 4:42): Council Archived Agendas Minutes and Reports

Summarized Comments
Agency comments received are summarized below in Table 1. Several members of the public spoke at this meeting and/or submitted letters. Public comments are summarized below by grouping into themes. A detailed Comments Matrix based on general themes is found in Attachment 2 and all letters are included in Attachment 3. Note that staff has not addressed each comment individually within the matrix because many residents had similar general comments.

<table>
<thead>
<tr>
<th>Name</th>
<th>Comments</th>
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<tr>
<td>Grey County Planning</td>
<td>• Generally supportive of the application</td>
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<td></td>
<td>• Noted that a land dedication for road widening of Grey Road 19 is required</td>
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<tr>
<td>Grey Sauble Conservation Authority (GSCA)</td>
<td>• Generally supportive</td>
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<td>• Noted the lands are not regulated by the GSCA</td>
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<td></td>
<td>• Recommend a grading and drainage plan be prepared prior to any development or site alterations to demonstrate that there are no negative drainage impacts to surrounding properties</td>
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<tr>
<td>Niagara Escarpment Commission (NEC)</td>
<td>• Generally supportive</td>
</tr>
<tr>
<td></td>
<td>• Recommend a detailed grading/drainage plan and landscape plan be included as part of the site plan approval process</td>
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<tr>
<td></td>
<td>• Retention of existing trees and vegetation around the perimeter will help to buffer the proposed development</td>
</tr>
<tr>
<td>Historic Saugeen Metis</td>
<td>• No objection or opposition to the proposed rezoning</td>
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Public Comments generally fell into the following themes (responses are provided in Attachment 2):

1. **Parking** – Several comments were concerned that the proposed parking is insufficient for the number of units. The concern was additional cars would park on Settlers Way which is a narrow road and parking there is not permitted.

2. **Pedestrian Safety and Traffic** - Concerned about pedestrian safety, noting the increased cars due to the development and that Settlers Way is narrow. Some were concerned about additional people crossing the road at Grey Road 19 to get to the Ski Facilities.

3. **Short Term Accommodation uses** – Concerns were raised about the potential this development would be used for Short Term Accommodations. Some were concerned that the Town is not able to police and regulates these uses adequately.

4. **Density** – Concerned that the Density proposed is too high and not in keeping with the neighbourhood.

5. **Neighbourhood Character** – Concerned that the change to townhouses and the style of units proposed is not in keeping with the community character. Some comments felt that this development would be better in another area close to other townhouses.

6. **Condition of Settlers Way** – Concern that the road is not the usual municipal standard, is too narrow and that it cannot accommodate the increase in units, any additional on-street parking and traffic.

7. **Drainage** – Concerns about drainage noted existing drainage issues on Settlers Way and felt that the increase in permeable area and grading changes could negatively impact other properties. One adjacent neighbour was concerned drainage from the proposed snow storage would affect their property.

8. **Precedent for more density** - Concern approving the development would set a precedent for similar developments in the neighbourhood.

9. **Building Height** – Concerns that the buildings appeared to be 4 storeys and would shadow adjacent houses and block views of Blue Mountain.

10. **Servicing** – Concerns that water pressure would be reduced and whether the subject lands could be adequately serviced.

### E. Analysis

This section provides the staff analysis on based on the relevant legislation and policies, as well as the identified issues. Summaries of policies and issues are provided in the following sections.

**Planning Act**
The Ontario Planning Act gives municipal Councils the authority to pass zoning by-laws, and make amendments to existing zoning by-laws, under Section 34 of the Act. The Planning Act
also requires that in making planning decisions Council must have regard for matters of Provincial Interest, as outlined by Section 2 of the Act.

The Planning Act also sets the framework for other Planning policy that are used as the basis decisions on development applications. In the Town of The Blue Mountains, the Planning Act requires that council’s decisions must be consistent with the Provincial Policy Statement, conform or, not conflict with, the Niagara Escarpment Plan and conform with the policies of the County and Town Official Plans which apply to the lands. More detail is provided in the following sections of this report.

Provincial Policy Statement 2020
This Provincial Policy Statement 2020 was issued under section 3 of the Planning Act and came into effect May 1, 2020. It replaces the Provincial Policy Statement 2014 issued April 30, 2014. Section 3 (5) of the Planning Act also requires that a decision of the council of a municipality, (or any other planning authority) shall be consistent with the Provincial Policy Statement.

The Provincial Policy Statement, also know as the “PPS”, provides policy direction on matters of provincial interest related to land use planning and development. It aims to provide for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment.

It should be noted that within the PPS framework, the subject property is considered to be within a settlement area. Within the PPS, Settlement Areas are those built-up areas where development is concentrated, and have a mix of land uses and designated in an official plan for development over the long-term planning horizon. Settlement areas can be in urban or rural settings. Settlement areas shall be the focus of growth and development in the Province.

Section 1.1.1 supports Healthy, liveable and safe communities by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term, accommodate an appropriate affordable and market-based range and mix of residential types, (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons) and avoiding development and land use patterns which may cause environmental or public health and safety concerns.

Within Section 1.1.3 Land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently uses land and resources, appropriate infrastructure and public services, and supports active transportation. Appropriate municipal development standards should promote intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety. New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.
Housing policies under Section 1.4 require Planning authorities to provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area.

Planning Staff note that the proposal is a compact form, utilizing existing available infrastructure. The updated submission addresses matters around safe access, including both Settlers Way and the driveway design of the property. The type of dwelling provides another housing option within the community.

The PPS Section 1.6.6 deals with Sewage, Water and Stormwater. Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas and in those areas intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.

This proposal will be serviced with municipal sewage and water services.

Planning for stormwater management shall prevent minimize increases in contaminant loads; minimize erosion; prepare for impacts of a changing climate; mitigate risks to human health, safety, property and the environment; and maximize the extent and function of vegetative and pervious surfaces; and promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.

Staff note that the proposal has provided a Functional Servicing report to deal with stormwater management and municipal servicing issues. Planning and Development Services staff have accepted the report and note that a more detailed engineering submission and landscaping/tree preservation would be required as part of a Site Plan application to ensure these policies are fully satisfied.

Staff are satisfied that proposal is consistent with the intent and direction of the PPS.

Niagara Escarpment Plan (NEP)
The Niagara Escarpment Plan provides land use policies to guide development while ensuring the preservation and enhancement of the Niagara Escarpment as an internationally recognized World Biosphere Reserve. Key objectives of the Plan are to maintain and enhance the natural environment and the open landscape character of the escarpment and adjacent lands. New development is permitted subject to the land use designation requirements to ensure compatibility with the purpose of the Plan. (Niagara Escarpment Plan, Page 1 to 3)

The subject lands are designated “Escarpment Recreation Area” which recognizes those areas of existing and potential recreational development associated with the Escarpment. Permitted uses include those uses listed under the Town of The Blue Mountains Official Plan. New development must not generate substantial negative impact on environmental features and must be designed and located in a manner to preserve the natural, visual and cultural characteristics of the area. Site design and layout must also be in harmony with and maintain the existing character of the escarpment landscape. (Niagara Escarpment Plan, Section 1.8 and 2.2)
Comments received from the Niagara Escarpment Commission indicated policies support the application, with recommendations to mitigate impacts (note attached comments). Staff are satisfied that the proposed Zoning By-law Amendment does not conflict with the Niagara Escarpment Plan.

County of Grey Official Plan 2019
The County Official Plan designates the lands Recreational Resort Area. This area applies to settlement areas which have developed as a result of site-specific amendments to the County’s Official Plan and/or local official plan consisting of a defined development area, specific recreational amenities, residential development and serviced with full municipal sewer and water services. Development of these lands is subject to policies for the Recreational Resort Area, Residential Intensification and General Development Policies.

The County Plan encourages residential intensification through infilling or redevelopment of previously underutilized lots. An Underutilized Lot is a parcel of land which is currently, or was previously, developed, but can permit a higher intensity of land uses.

New development in the Recreational Resort Area land use type must serve the public interest by contributing to the provision of community recreational amenities, by facilitating municipal service infrastructure, and accommodating areas with development potential within the existing land use type. As these areas form an integral part of our communities, County Official Plan policy requires complete community design elements described in Section 1.4.1 to be considered to enhance social and community cohesion, including:

- Supporting Young Families, Youth and Newcomers, through inclusive Planning Approaches
- Acknowledging Challenges of Affordability through housing intensification, secondary dwelling units in existing homes and mixed use development
- Providing for Complete Communities through a full range of houses, access to public and active transportation, recreation and open spaces
- Protect our natural and cultural environments
- Promotion of Tourism & Recreation

County comments were supportive of the proposal. Town Staff agree that the proposal is in conformity with the County Official Plan.

Town of The Blue Mountains Official Plan
The Blue Mountains Official Plan designates the lands Residential Recreational Area (Figure 5). The Residential Recreational Area designation recognizes areas within the Town where there is a mix of seasonal and permanent residential and recreational uses, and those where some residential uses are located to support and provide access to resort and recreational amenities. Within this designation single, semi-detached dwellings, townhouse and low-rise multiple units are permitted residential dwelling types.

The Official Plan contains a number of goals and strategic objectives. Under section A3.3 Growth and Settlement, the goal is to direct most forms of development to areas where full
municipal wastewater and water services are available and to support the efficient use of land in these areas. The strategic objective is to encourage infilling, intensification and redevelopment in appropriate locations and with appropriate built form and design.

The Official Plan also seeks to protect and enhance the character of existing urban areas and the stability of existing and well-established residential neighbourhoods by ensuring that development and redevelopment is compatible with the scale and density of existing development.

Figure 4: Town of The Blue Mountains Official Plan

Section B3.1.5 deals specifically with Infill, Intensification and Greenfield Development. Existing residential neighbourhoods are intended to retain their existing character with limited change. However, this does not mean that new housing must mimic the character, type and density of existing housing but rather, it shall fit into and reinforce the stability and character of the neighbourhood. Infill and intensification may be permitted where it respects the scale and built form of the surrounding neighbourhood and conforms to the policies of the Plan. The criteria within Section B3.1.5.3 Intensification and Greenfield Development are provided in Table 2.

Table 2: Official Plan B3.1.5.3 Intensification and Greenfield Development

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<tr>
<th>Policy</th>
<th>Staff Response</th>
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<tr>
<td>a) where appropriate, considers the role of topography and natural vegetation in minimizing the impacts of taller buildings on adjacent land uses</td>
<td>a) Topography is variable in this area. Max building height is 11m as per the R2 zone. West side of property which will be at a higher elevation, furthest from neighbouring dwellings. Vegetation and further landscaping will be considered in the future Site Plan Application.</td>
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<td>b) has demonstrated that the potential shadow impacts associated with taller buildings will be at an acceptable level on adjacent properties; new buildings that are adjacent to low rise areas are designed to respect a 45 degree angular plane measured from the boundary of a lot line which separates the lot from an adjacent lot with a low rise residential dwelling</td>
<td>b) N/A. The 3-storey Townhouse and Semi-Detached units are also considered low-rise. Consistent with how this policy has been applied in the past, this policy would apply to a medium and high-rise proposal adjacent to low-rise houses to ensure those building have demonstrated acceptable shadow impacts.</td>
</tr>
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<td>c) respects the <strong>character</strong> of adjacent residential neighbourhoods, in terms of height, bulk and massing</td>
<td>c) The application to rezone proposes to increase the maximum height for the townhouse block only. The R2 zone permits up to 3 storeys (11m) vs 2.5 storeys (9.5 m) in the current R1-1 zone. The proposal was also revised to orient the semi-detached adjacent to the lot to the east which contains and existing 1-storey chalet. This will create a transitional area next to this adjacent lot and ensure no additional impact on that lot over the current height permissions of the R1-1 Zone. It should be noted that the R1-1 zone and semis within the R2 zone have the same maximum height of 9.5m or 2.5 storeys. The Townhouse 5-unit blocks is not adjacent to any other neighbouring dwellings (backyard of south neighbour is adjacent to the development).</td>
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<tr>
<td>d) building height(s) reflect the pattern of heights of adjacent housing</td>
<td>d) The heights of adjacent buildings vary from 1-2.5 storeys; however, the maximum height within current zoning of surrounding lands varies between 9m and 11m. The proposed semi-detached units (Unit 6 &amp; 7 as shown on Attachment #2), adjacent to a 1-storey dwelling, are the same maximum height as a single detached house in the current zone.</td>
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| e) is designed in consideration of lot coverages of adjacent housing   | e) The lot coverage proposed by the conceptual site plan is approximately...
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<th>Policy</th>
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<td>18%. The current R1-1 zone permits a maximum of 30%-35% lot coverage. While it is noted there is no lot coverage provision in the R2 zone, the proposal is for a significantly lower lot coverage than the existing zoning permission.</td>
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<td>f) considered the predominant or average front yard setback for adjacent housing to preserve the streetscape edge, and character</td>
<td>f) The proposed setback from Settlers Way is greater than the average setback.</td>
</tr>
<tr>
<td>g) provides for similar side yard setbacks to preserve the spaciousness on the street</td>
<td>g) The yard adjacent to the easterly neighbour is greater than the minimum required interior side yard of the R1-1 zone (6.2m vs 2m).</td>
</tr>
<tr>
<td>h) is designed in order that new lots backing onto existing single detached residential lots have rear yards that are comparable in size to these existing residential lots;</td>
<td>h) N/A no new lots are being created, the existing two lots will be merged into as a singular lot.</td>
</tr>
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<td>i) provides a built form that reflects the variety of façade details and materials of adjacent housing, such as porches, windows, cornices and other details</td>
<td>i) A future Site Plan Application shall include elevations and façade details to ensure this policy is implemented.</td>
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<td>j) retains and enhances existing trees and vegetation where possible and additional landscaping will be provided to integrate the proposed development with the existing neighbourhood</td>
<td>j) A tree preservation and landscape plan will be required as part of a future Site Plan Application.</td>
</tr>
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<td>k) will not cause or create traffic hazards or an unacceptable level of congestion on surrounding roads</td>
<td>k) Staff reviewed the potential for increased cars and to not anticipate any negative impacts from the additional 5 units (increase from 2 existing units to 7 units total).</td>
</tr>
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<td>l) is located on a site that has adequate land area to incorporate required parking, recreational facilities, landscaping and buffering on-site</td>
<td>l) Staff are satisfied with the submitted proof of concept, and that the site can accommodate the required features. More detailed information will be submitted for the Site Plan Application.</td>
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<td>m) if applicable, creates a street and block pattern, which serves as a seamless extension of the surrounding neighbourhoods by providing an interconnected block structure and the extension of the existing local road network</td>
<td>m) N/A. No streets/blocks would be created.</td>
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<td>n) will have minimal impacts on adjacent properties in relation to grading, drainage, access and circulation, and privacy;</td>
<td>n) Preliminary Grading and drainage plans have been reviewed to ensure proof of concept is supportable. A future Site Plan will be required to demonstrate and confirm that there are no negative impacts to adjacent lands.</td>
</tr>
<tr>
<td>o) buffers any loading and storage facilities that are provided so as to minimize disruption and to protect the enjoyment of neighbouring residential properties; for adjacent residential areas</td>
<td>o) N/A. Loading and storage facilities not part of proposal.</td>
</tr>
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<td>p) if large in scale, will not obstruct views of Georgian Bay along streets that terminate at or close to the water’s edge.</td>
<td>p) N/A</td>
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The Town Official Plan provides for density of up to 10 units per gross hectare in the RRA designation. Infill and intensification developments are calculated differently than greenfield developments, since the former does not generally require additional Stormwater Management facilities, new roads and additional parkland. Density is calculated using an area around the property, incorporating adjacent areas and roads into the calculation. Staff calculated the density using an area around the property of approximately 1.4 hectares. Using this methodology, the density of the area with this development would be 8.32 units per gross hectare.

Based on the criteria above, the scale of this proposal to add five more units to the existing density of this street is consistent with the intent of the policies. The low height proposed (3 storeys) is compatible with the neighbourhood. The location adjacent to the County Road, and across from the commercial lands means the area has some features of transition from single detached houses to other uses. Additional matters referenced in Table 2 would be addressed in more detail during a future Site Plan phase, including landscaping, lighting, engineering, and architecture.

Planning Staff are satisfied that the zoning amendment to permit a maximum of seven dwellings (in the form of Townhouses and Semi-detached units) on the subject lands is in conformity with the Town’s Official Plan.
Town of The Blue Mountains Zoning By-law 2018-65
The property is currently zoned Residential One (R1-1) in the Zoning By-law, which permits single detached dwellings, accessory apartments and accessory uses.

The proposed amendment is to rezone to the Residential Two (R2-199) Exception Zone but limit the number of units to a maximum of seven (7). The Exception 119 would also add the following special regulations:

- Minimum Exterior Side Yard Setback 3.0 metres
- Minimum Rear Yard Setback 6.2 metres
- Short Term Accommodation Uses are not Permitted

The rear yard setback proposed is the area between the subject lands and the property to the east. The 6.2 metre setback is greater than the current 2 metre setback of the R1-1 zone and the properties as two separate lots.

Excluding Short Term Accommodation (STA) uses in the Zoning means an STA license cannot be issued for the property. It should be noted that the current R1-1 zoning also does not permit Short Term Accommodation Uses.

Figure 5: Town of The Blue Mountains Zoning By-law 2018-65

The draft zoning amendment is attached (Attachment #1).
Issues

Following the public meeting, Town Planning and Development Engineering staff worked with the applicant on identified issues, suggested revisions and requested further information. Several revisions were made to the proposal to ensure the concept was viable on this lot.

Concerns were raised regarding the actual height of the development and whether it would actually be four storeys because of both the walkout basements and required grading to raise low areas on the property. To ensure conformity with the zoning by-law, and the Official Plan, the applicant revised the proposal to generally bring the overall height down and ensure it is a maximum of 3 storeys.

Drainage was a matter that needed to be addressed given the property’s location at the base of the Escarpment and considering the type of existing drainage on the property and area. Staff requested a Functional Servicing Report to provide a proof of concept for the site, including stormwater/grading. Development Engineering staff are satisfied with the overall concept submitted. At the time of Site Plan Application, more detailed engineering design will need to fully address these technical issues.

It has been confirmed that there is adequate Town water and sewer services for these units.

It is noted that Settlers Way is a “heritage road”, as identified in the Town Official Plan. This terminology used in the Official Plan to identify roads that are not built to a usual Town standard – many of these are cottage roads, much like Settlers Way. The Official Plan allows for an alternative standard to be used (which may include reduced widths. There is no plan at this time to upgrade the travelled width of Settlers Way in this area.

Town Staff agree that widening the travelled portion of Settlers Way would impact other developed properties in this section of the street. However, road widenings are required for the subject lands of 2.5 metres on Settlers Way and 5 metres on Grey Road 19. The applicant has agreed to both road widenings. It is noted that the waste collection truck currently backs down this road and that larger vehicles currently cannot turnaround. To improve the situation on Settlers Way, the Town has asked that an easement in favour of the Town be provided at the time of Site Plan Approval to allow for the turning of vehicles (half-hammerhead). The size and design would be determined at the Site Plan Approvals stage and would be designed to accommodate emergency and other vehicles. Based on this concept, the Town’s Fire Services and Operations Department have no outstanding concerns.

Town Staff acknowledge the considerable interest in this application from area residents. These comments and concerns expressed by the public and agencies were used to refine the proposal and will further inform the Site Plan process. The Site Plan stage will require detailed engineering, Landscaping/ Tree Preservation and Architectural details on the proposal.

Conclusions

Planning Staff are satisfied that the identified issues have now been addressed within the proposal’s revisions and the draft Zoning By-law amendment attached. Based on the information provided in this report, Planning Staff are satisfied that the Zoning By-law
Amendment is consistent with the Provincial Policy Statement, does not conflict with the Niagara Escarpment plan and conforms to the intent and direction of the County of Grey Official Plan and Town of The Blue Mountains Official Plan. Planning Staff supports this application.

F. The Blue Mountains Strategic Plan

Goal #3: Support Healthy Lifestyles
Objective #2 Increase the Range of Housing Choices and Promote Housing Affordability
Objective #3 Manage Growth and Promote Smart Growth
Objective #4 Commit to Sustainability

G. Environmental Impacts

None anticipated.

H. Financial Impact

Decisions of Council may be subject to an appeal to the Local Planning Appeals Tribunal (LPAT). Depending on the scope of the appeal and Town involvement in the appeal process, additional financial obligations may be required.

I. In consultation with

Internal Departments, Public agencies and stakeholders involved in the Town’s Development Review process
Brian Worsley, Manager of Development Engineering
Trevor Houghton, Manager of Community Planning
Nathan Westendorp, Director of Planning and Development Services.

J. Public Engagement

The topic of this Staff Report was the subject of a Public Meeting on May 14, 2018. Staff provided notice of this Staff Report to everyone who submitted letters or commented at the Public Meeting and provided their email contact information, as well as anyone else who requested notice on this matter.

Comments regarding this report should be directed to Denise Whaley dwhaley@thebluemountains.ca.

K. Attached

1. Draft Zoning By-law Amendment
2. Conceptual Site Plan Drawing
3. Comments Response Matrix
4. Comments Received

Respectfully submitted,

_____________________________
Denise Whaley, MSc MCIP RPP
Planner II

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Nathan Westendorp, RPP, MCIP
Director of Planning and Development Services

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

The Corporation of the Town of The Blue Mountains

By-Law Number 2020 –

Being a By-law to amend Zoning By-law No. 2018-65 which may be cited as "The Blue Mountains 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 Whereas pursuant to the provisions of Section 34 and 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. Schedule A, Map 26 is amended by changing the zoning symbol for the lands known as South Part of Lot 19, Concession 2 (formerly the Township of Collingwood) from the Residential One (R1-1) Zone to the Residential Two Exception 119 (R2-119-h35) Zone, with a holding h35 symbols, as shown on the attached Schedule ‘A-1’.

2. Table 9.1 - Exceptions is amended by adding the following new section:

<table>
<thead>
<tr>
<th>Exception Number</th>
<th>Zone</th>
<th>Special Provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>119</td>
<td>R2-119</td>
<td>Maximum number of dwellings:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Townhouses:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>5</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Semi Detached Houses:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Short Term Accommodation Uses:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Not Permitted</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Minimum Exterior Side Yard:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3.0 m</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Minimum Rear Yard:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>6.2 m</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(Part of Lot 19, Concession 2)</td>
</tr>
</tbody>
</table>

3. Table 10.1 – Site-specific Holding Provisions is amended by adding the following new section:

<table>
<thead>
<tr>
<th>Holding Number</th>
<th>Zone</th>
<th>Conditions for Removal</th>
</tr>
</thead>
<tbody>
<tr>
<td>h35</td>
<td>R2-119-h35</td>
<td>i. The Town grants Site Plan Approval and a Site Plan Agreement has been executed, to ensure development proceeds in accordance with approved plans and drawings.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>ii. The Town receives confirmation the lands have been merged on title.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>iii. The single detached dwellings have been demolished.</td>
</tr>
</tbody>
</table>

4. 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 ___, 2020.
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
Town of The Blue Mountains
Schedule 'A-1'

By-Law No._______

Legend

- Subject Lands of this Amendment
- Area to be rezoned from R1-1 to R2-119-h35

Date: 3/17/2020
<table>
<thead>
<tr>
<th>Item #</th>
<th>Author</th>
<th>Comment</th>
<th>Responses and Revisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Grey County</td>
<td>No objection to the application</td>
<td>1. Noted. 2. Required road widening has been communicated with the applicant and will be taken as part of the future a Site Plan Application.</td>
</tr>
<tr>
<td>2.</td>
<td>Niagara Escarpment Commission (NEC)</td>
<td>No objection to the application 1. Recommend a detailed grading/drainage and landscape plan should be required as part of the site plan approval process. Retention of existing trees and vegetation around the perimeter will help to buffer the proposed development. Retained trees and the means to protect them should be identified on approved drawings</td>
<td>1. Noted 2. A full grading and drainage plan, and a landscape plan showing trees to be retained and protected will be required as part of a future Site Plan Application.</td>
</tr>
<tr>
<td>3.</td>
<td>Grey Sauble Conservation Authority (GSCA)</td>
<td>Generally supportive 1. The lands are not regulated by the GSCA 2. Due to the low elevation of the subject lands, a grading and drainage plan be prepared prior to any development or site alterations. Plan would need to demonstrate that there are no negative drainage impacts to surrounding properties</td>
<td>1. Noted. 2. Noted – a grading and drainage plan will be required as part of a future Site Plan Application and prior to Building Permit approvals.</td>
</tr>
<tr>
<td>3.</td>
<td>Historic Saugeen Metis (HSM)</td>
<td>No objection or opposition to the application</td>
<td></td>
</tr>
</tbody>
</table>
## Mountainside Towns Proposed Rezoning – Comments Response Matrix
### Table 2: Letters and Public Meeting Comments

<table>
<thead>
<tr>
<th>Item #</th>
<th>Author</th>
<th>Comment</th>
<th>Responses and Revisions</th>
</tr>
</thead>
</table>
| 1      | Area Residents/Public Meeting Comments | Concern about the width and condition of Settlers Way  
1. Increasing number of dwellings on the Narrow road is unsafe for pedestrians  
2. Upgrading Settlers Way will negatively impact dwellings on this block  
3. Concern there will be parking on Settlers Way which prohibits parking.  
4. Garbage truck backs down the street and cannot turn around now.  
5. Can emergency vehicle access site?  
6. Will winter snow plowing block the proposed driveway in winter? | 1. It is noted that there are no pedestrian pathways/sidewalks on this road. The proposed increase of 5 additional units will not generate significant pedestrian traffic.  
2. There are no plans to upgrade or widen Settlers Way in this area.  
3. It is noted that a few dwellings on the north side of the road do park on the road as they do not have access/driveways. This proposal would not affect any current parking arrangement for these units. Generally, Parking is prohibited on Settlers Way.  
4. This is correct. However, the proposed development is not anticipated to cause additional issues for garbage pick up. Rather, through the Site Plan Process the Town will be receiving an easement that would allow turnaround of Town vehicles within the subject property’s driveway to improve the situation.  
5. Yes, emergency vehicles in the form of fire trucks would access the property by Settlers Way.  
6. It is noted that the municipal snowplow pushes snow to the end of Settlers Way currently and it not anticipated to change as a result of this proposal. Snow Plowing would not block the entrance as it is in a similar location to the existing entrance to 104 Settlers Way (westerly subject lot). Snow storage and related storage areas will be outlined in the site plan process. |
| 2      | Area Residents/Public Meeting Comments | Concerns about Parking  
1. Proposal does not contain enough parking  
2. Parking will spill over onto Settlers Way | 1. Proposal meets the minimum parking requirement for dwellings, and has been revised to add a visitor parking area of 3 spaces. |
<table>
<thead>
<tr>
<th></th>
<th>Area Residents/Public Meeting Comments</th>
<th>Concern about potential Short Term Accommodation Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td></td>
<td>1. Types of units would attract these types of uses</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2. How can the Town police these types of uses?</td>
</tr>
<tr>
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<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td></td>
<td>Concerns about the density</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1. Proposed density is too high</td>
</tr>
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<td></td>
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<tr>
<td>5</td>
<td></td>
<td>Neighbourhood Character</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1. Townhouses in this area and the style of units proposed is not in</td>
</tr>
<tr>
<td></td>
<td></td>
<td>keeping with the community character</td>
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<tr>
<td></td>
<td></td>
<td>2. Development would be better in another area close to other</td>
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<tr>
<td></td>
<td></td>
<td>townhouses, rather than next to single detached houses.</td>
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<tr>
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<td></td>
<td>3. Quaint neighbourhood area what would be lost with the loss of</td>
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<tr>
<td></td>
<td></td>
<td>original structures.</td>
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<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>1. The Town’s Official Plan policies envisions and permits</td>
</tr>
<tr>
<td></td>
<td></td>
<td>townhouses in this community. It is noted that the area has a</td>
</tr>
<tr>
<td></td>
<td></td>
<td>mixture of older chalets (some original), and larger, newer</td>
</tr>
<tr>
<td></td>
<td></td>
<td>chalets in a variety of styles. Town OP Policy B3.1.6.5 provides</td>
</tr>
<tr>
<td></td>
<td></td>
<td>criteria to ensure these matters are considered. Table # in the</td>
</tr>
<tr>
<td></td>
<td></td>
<td>report outlines how these criteria have been addressed.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2. It is noted that this property is located next to the highway and</td>
</tr>
<tr>
<td></td>
<td></td>
<td>across from the commercial property. Allowing for smaller</td>
</tr>
<tr>
<td></td>
<td></td>
<td>townhouse or medium density near single detached units can</td>
</tr>
<tr>
<td></td>
<td></td>
<td>allow for a smoother transition for development types. There</td>
</tr>
<tr>
<td></td>
<td></td>
<td>are several other townhouse developments in this area that are</td>
</tr>
<tr>
<td></td>
<td></td>
<td>adjacent to single detached dwellings. Many of these are larger</td>
</tr>
<tr>
<td></td>
<td></td>
<td>condo townhouse developments.</td>
</tr>
<tr>
<td>Comment Table</td>
<td>Area Residents/ Public Meeting Comments</td>
<td>Concerns about Building Height</td>
</tr>
<tr>
<td>---------------</td>
<td>----------------------------------------</td>
<td>--------------------------------</td>
</tr>
<tr>
<td>6</td>
<td>1. Buildings appeared to be 4 storeys</td>
<td>1. There are existing drainage issues on Settlers Way. Concerned the proposal would exacerbate the situation by increasing the impermeable area and making grading changes 2. Changes in drainage could negatively impact other properties.</td>
</tr>
<tr>
<td></td>
<td>2. Tall Buildings will shadow adjacent houses</td>
<td>1. Drainage at the based of Blue Mountain has been identified as an issue of concern by Town staff as well. A preliminary drainage and grading concept have been provided with a Functional Servicing Report that demonstrates appropriate drainage can be accommodated that does not negatively impact adjacent properties or Settlers Way. More detailed drainage plans will be required as part of a future Site Plan application and Building Permit approvals.</td>
</tr>
<tr>
<td></td>
<td>3. The proposed Townhouses will block views of Blue Mountain.</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>1. Revisions have been made to reduce the overall height and ensure it is only 3 storeys. 2. To mitigate any height impacts of the 3-storey townhouses, the semi-detached units are proposed next to the neighbouring 1 storey chalet, since the semi has the same maximum height as single detached units currently permitted. To further mitigate any impacts of the development, the setback from the shared lot line is greater than the existing minimum setback 6m vs 2m. 3. New development of any property could block existing views and properties do not have a right to a view. However, revisions to respect the special nature of this area have been made to reduce the impact, such as only allowing 3 storey buildings, reducing height of the units closest to adjacent dwellings. The Town is not aware of any private restrictive covenants on the title of the subject lands to the benefit of abutting residents that serve to protect visual corridors.</td>
<td></td>
</tr>
</tbody>
</table>
|   | Area Residents/ Public Meeting Comment | Concern about Servicing                                                                                     | 1. The increase of units is not anticipated to have any negative effect on municipal water pressure.  
2. Staff have confirmed appropriate Town water and sewer services are available to the property.  
3. The additional units can be accommodated with the existing sanitary services in the Town’s road allowance. |
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>8</td>
<td>Concern Proposal would Set a precedent for future similar developments</td>
<td>1. Approving this proposal would set a precedent for more developments like this.</td>
<td>1. Planning Decisions are not legally precedent setting. Each development proposal must be reviewed and stand on its own merits, based on the Planning documents in force at the time of the decision (Planning Act, PPS, Official Plan Policies etc).</td>
</tr>
<tr>
<td>9</td>
<td>Concerned the Town would accept a proposal of this nature</td>
<td>1. Why would the Town accept a proposal like this that is not in keeping with the area?</td>
<td>1. This comment was addressed at the meeting by the Director, noting fairness of Planning Act process and all applications must be accepted, though not all are approved. Approval of applications would be subject to review and resolution of identified issues. Moreover, the Town’s Official Plan policies envisions and permits the form of development being proposed in this community.</td>
</tr>
<tr>
<td>10</td>
<td>Concern there is a conflict of interest with staff</td>
<td>1. It was questioned if there is a conflict of interest with staff owning one of the lots or in the process of selling one of the lots.</td>
<td>1. A conflict of interest was declared by a staff member who excused themselves from any further review at the beginning of this proposal. Planning staff do not have any conflict of interest and Planning staff did not engage in consultation with that staff member after this conflict was declared.</td>
</tr>
</tbody>
</table>
|   | Area Residents | Concerned that Planning Staff in favour of development  
1. Concern was expressed that staff Planner appeared to be in favour of the development at the public meeting and would not be able to offer unbiased review of the proposal. | 1. Planning staff provided only factual and basic impartial information at the public meeting. The applicant did speak on behalf of the file in more detail and provided their own support for their file during the Public Meeting. |
May 10th, 2018

Corrina Giles, Clerk
Town of the Blue Mountains
32 Mill Street Box 310
Thornbury, Ontario N0H 2P0
*Sent via E-mail

RE: Application for a Zoning By-law Amendment
   South Part of Lot 19, Concession 2 (104 & 108 Settler’s Way)
   Town of the Blue Mountains (formerly Geographic Township of Collingwood)
   Owner/Applicant: Jeremy and Michelle Doornbosch

Dear Ms. Giles,

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 build eight (8) townhouses on the property. The zoning by-law amendment proposes to rezone the lands from the Residential Third Density (R3) to the Residential Fifth Density (R5) zone. An exception has been proposed to add site specific provisions to permit reduced setback to Settler’s Way and increased height of some of the townhouses.

Schedule A of the OP designates the subject lands as a ‘Recreation Resort Area’, which are lands recognized as settlement areas within the plan. Policy 2.6.3(3) states,

\[
\text{the OP shall promote the development of the Primary Settlement Areas for a full range of residential, commercial, industrial, recreational, and institutional land uses.}
\]

Furthermore, Section 2.6.7(2) states,

\[
\text{New development in the Recreational Resort designation must serve the public interest by contributing to the provision of community recreational amenities, by facilitating municipal service infrastructure, and by accommodating existing un-}
\]

Grey County: Colour It Your Way
serviced development areas and areas with development potential within the existing designation or settlement area.

The subject application is consistent with the above noted policy, as it is accommodating areas with development potential within the existing designation or settlement area. Of a general planning nature, County planning staff recommend the proposed development incorporate a landscaping plan, and consider any potential adverse visual impacts to neighbors.

Appendix A of the OP identifies the entire property as a ‘Special Policy Karst’ area. Policy 2.8.5 states,

\[ \text{in areas where full municipal water and sewer services are already installed, the special policy area requirements shall not apply for new fully serviced development.} \]

It is our understanding that this development would be serviced through municipal servicing; therefore, County planning staff have no concerns.

County Transportation Services have reviewed the above noted file and have no objections.

County planning staff have no concerns with the subject application.

The County requests notice of any decision rendered with respect to this application.

If you wish to discuss this matter further, please contact me.

Yours truly,

Stephanie Lacey-Avon
Planner

www.grey.ca

Grey County: Colour It Your Way
May 10, 2018

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

Dear Ms. Giles:

RE: Application for Zoning Amendment
Applicant: Mountainside Developments, c/o Jeremy & Michelle Doornbosch
Lot 19, Concession 2; 104 & 108 Settler's Way
Town of The Blue Mountains, formerly Collingwood Township
Our File: P13221

The Grey Sauble Conservation Authority (GSCA) has reviewed this application in accordance with our mandate and policies for natural hazards, natural heritage issues as per the Provincial Policy Statement, our planning service agreement with the Town of The Blue Mountains and relative to our policies for the implementation of Ontario Regulation 151/06. We offer the following comments.

Subject Proposal
The subject proposal is to request permission to build eight townhouses on the property. The specific by-law amendment proposes to rezone the two properties from the Residential Third Density (R3) to the Residential Fifth Density (R5) zone. In addition, an exemption has been proposed to add site specific provisions to permit reduced setback to Settler's Way and an increased height of some of the townhouses.

Site Description
The subject properties are comprised of two separate parcels located on the southeast corner of Settlers Way and Grey Road 19 within the Town of The Blue Mountains, formerly Collingwood Township. Each property is maintained in a generally manicured state with existing residential dwellings. Main tree species on the subject properties include Maple, Elm, Black Walnut, and Norway Spruce among others. The lands are generally flat in nature but are lower in comparison to surrounding properties, being approximately 2 metres lower than Grey Road 19. The general surrounding land uses are comprised of residential units to the north, east, and

Watershed Municipalities
Arran-Elderslie, Chatsworth, Georgian Bluffs, Grey Highlands
Meaford, Owen Sound, South Bruce Peninsula, Blue Mountains
south, and Blue Mountain Resort ski runs to the west.

**GSCA Regulations**
The property is not regulated under Ontario Regulation 151/06: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses. As such, no permit is required from this office for the development.

**Provincial Policy Statement (PPS 2014)**

3.1 **Natural Hazards**
There were no natural hazards identified on the property.

2.1 **Natural Heritage**
There were no natural heritage features identified on the subject property.

**Recommendations**
We generally have no objection to the approval of the subject application. Due to the low elevation of the subject lands, we recommend that an engineered grading and drainage plan be prepared prior to any development or site alterations occurring. This plan would need to demonstrate that there are no negative drainage impacts to the surrounding properties.

We request a notice of decision in this matter be provided to our office.

If any questions should arise, please contact the undersigned.

**Regards,**

[Signature]

Andrew Sorensen
Environmental Planning Coordinator

[cc] John McGee, Authority Director, Town of The Blue Mountains
Building Department, Town of The Blue Mountains
Jeremy & Michelle Doornbosch, Landowners
GSCA: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses (Ontario Regulation 151/06)
Your File: ZBA - Mountainside Developments
Our File: Blue Mountains Municipality

Good afternoon,

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, zoning, land severance, Official plan and/or Zoning By-law Amendments.

Thank you for the opportunity to review this matter.

Regards,

Chris Hachey
Assistant Coordinator, Lands, Resources and Consultation

Historic Saugeen Métis
204 High Street
Southampton, Ontario, N0H 2L0

Fax: (519) 483-4002
Email: [redacted]

[Redacted] 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.
September 25, 2018

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

Dear Corrina:

Re: Proposed Zoning By-Law Amendment
Mountainside Developments
Part Lot 19, Concession 2,
Town of The Blue Mountains, Grey County

We have reviewed the proposed zoning by-law amendment to rezone the subject lands from Residential Third Density (R3) to Residential Fifth Density (R5) zone and add site specific provisions to permit reduced setback to Settler’s Way and increased height of some of the townhouses. We have also reviewed the Planning Justification Report submitted in support of the application. We offer the following staff comments.

The subject lands are located within the boundaries of the Niagara Escarpment Plan (NEP) and are designated Escarpment Recreation Area. The subject lands are not within the area of Development Control. Permitted uses within the Escarpment Recreation Area are subject to Part 2, Development Criteria of the Niagara Escarpment Plan and the requirements of official plans and zoning by-laws that are not in conflict with the NEP.

Permitted uses are those provided for in the Town of The Blue Mountains Official Plan that are not in conflict with the NEP.

Objective 1 of the Escarpment Recreation Area designation is “To minimize negative impacts of recreational development on the Escarpment environment.” The proposed development is located just above the toe of the Escarpment on a relatively level area below the ski hills and below the Escarpment brow. It is anticipated that any adverse effects on the Escarpment environment can be minimized by implementing design measures through site plan control.

Objective 6 is: “To ensure that recreational development protects and maintains community character, hydrologic and natural heritage features and functions, and the scenic resources of the Escarpment.” The Planning Justification Report notes that existing trees will be preserved where possible and re-established through a detailed landscape plan. A detailed grading/drainage and landscape plan should be required as part of the site plan approval process.
Part 2.11.1 of the Recreation Development Criteria states all recreational uses should be designed and located so as not to conflict with surrounding land uses and be compatible with the Escarpment environment and community character. Retention of existing trees and vegetation around the perimeter will help to buffer the proposed development. The retained trees and the means to protect them should be identified on approved drawings.

The Niagara Escarpment Commission supports the protection of the night sky from excessive exterior lighting and recommends that the applicant incorporate lighting fixtures and a plan to operate the lighting fixtures that is in accordance with dark sky principles. The preparation of a lighting plan is recommended. Lighting and landscape plans should minimize the visual impacts in accordance with Part 2.13 Scenic Resources and Landform Conservation Development Criteria.

We have no objection to the proposed zoning by-law amendment.

The Commission requests notification of the decision. Please contact me at (519) 599-3464, if you have any questions.

Sincerely,

[Redacted]

Judy Rhodes-Munk
Senior Planner

C Denise Whaley, Town of The Blue Mountains

Enclosure
Attention: Corrina Giles, Town Clerk
Town of the Blue Mountains
32 Mill Street
Thornbury, ON
N0H 2P0

Re: Mountainside Developments
Roll: 424200000325800 & 424200000326400

Dear Ms. Giles,

I was in attendance and spoke at the town meeting on May 14, 2018, and I am now also sending my written objection to the proposed townhouse development at 104 and 108 Settlers Way.

I would first like to address a concern that I became aware of after the meeting. I was aware of Ms Denise Whaley’s role as a town planner, but did not realize during the meeting that she was the person speaking. At the time of the meeting, she seemed to be so in support of the development that I believed her to be an independent planning consultant representing the developer. When I learned that this speaker was in fact Ms Whaley and an employee of the town, I thought it imperative to note my concerns about what appeared to be a bias in favour of approving the development. She seems to have a cordial relationship with the developer and to be in support of it, rather than the objective assessor she should be on behalf of the town and its residents. Any support by the planning staff brings into question the “planning criteria” being used.

Apart from this perceived bias, I question the planning staff even being able to support such a proposal when so many planning flaws were apparent in the proposal from the beginning, and so many factors may change or be decided later if the proposed re-zoning were to happen.

In more general terms, I object to the application for re-zoning the property from R3 to R5 residential for many of the same reasons noted at the meeting. Not only are they seeking to triple the occupancy on the property but they are also seeking additional concessions on setback allowance. I understand that under provincial guidelines there is a goal to achieve greater coverage and infill on the property, but I find it difficult to believe that the specifics proposed for this site are within its intentions, due to the limitations for access as this section of Settlers Way is not a full road but more of a small laneway.

This limited access creates issues with respect to parking, road access for fire trucks and other services such as snow plowing and storage. The proposed internal road of the development is a merger 6.7 meters, this is about the width of an average driveway/double care garage in a single dwelling.
I can find nothing of merit in this proposal and request that the request for zoning change be denied. With so many of the area residents in opposition, I ask that the council act on behalf of these residents, to whom the real responsibility lies.

Thank you,
To: Corrina Giles, Town Clerk, Town of the Blue Mountains
Email: townclerk@thebluemountains.ca

To Whom it may concern:

My husband and I are part owners of a vacant lot on Settlers Way. We purchased our lot many years ago in hopes that we would possibly be retiring there when the time comes... We do come to Blue Mountain frequently and enjoy the quietness of that little piece of Settlers Way and love the character of its unique neighbourhood. Our property is directly across the street from the proposed development. We object to the proposed development for the following reasons.

I believe the height of the proposed development is too high. Three stories from the graded level of Grey Road 19? The water table and also the water run off will go directly downhill and cause many problems with flooding of home and property.

The property is currently zoned as R-3 which is for single family residences and an increase to zone R-5 would set a precedence of allowing similar high density developments in the area. The developer I believe is actually asking for zoning similar to the Blue Mountain Village which is a completely different sort of development including hotel rooms, short term rentals and commercial. Short term rentals can bring a lot of problems to such a small area such as disrespect for current home owners, noise, parking issues and abusing other people’s property.

The number of people potentially living in the units (some may be rental), two to three bedrooms x the 8 Units could add up to 6 cars per unit with parking only for 2 vehicles. There is a “no parking by law” in all of our surrounding streets so there is no extra room to park anywhere close. There could be a potential problem of getting a fire truck, ambulance and even the garbage disposal and recycling trucks through this area. The garbage and recycling trucks would be unable to get into the complex with the acute angle of the driveway.

The development is on a quiet dead end street and turn it into a high volume street and it is not even the width of a standard street. I also believe noise would be a problem with some of the units most likely being rental or leased units?.

There is room for high density building in many areas around Blue Mountain including Windfall and Tyrolean Village. Maybe it would be better in those areas where there is acres of land with the infrastructure needed to support it.

The view would be compromised, looking out at 8 modern town homes was not the view I had hoped for my retirement.

We hope that consideration can be given to the property owners instead of a new developer trying to change an area. For his profit...thank you

Allison and Craig Angold Stephens
Ms Corrina Giles  
Town Clerk  
Town of the Blue Mountains  
Ontario

Hi Corrina, please see my undernoted comments in regards to the proposed development on Settlers Way. I have numbered my points to match the Planning Justification Report. My husband and I strongly object to this request for re-zoning.

1.1 The lands in question are located on a small dead end portion of Settlers Way where surrounding properties consist of small single detached homes. Some appear to be original quaint ski cottages. Development of 8 townhouses would spoil the look of this community and provide increased traffic adversely affecting the safety of current residents.

1.6 Currently the land is zoned R3 and is one of the few remaining original residential communities around the mountain. Many of the home owners are full time residents and have resided here for many years. The building of 8 town homes with garages would look out of place and destroy the ambience of this unique community. The density would be increased by over 300%.

3.1 The Town of Blue Mountain is not part of the Provincial Policy Statement which includes the Golden Horseshoe. This argument that zoning applications be consistent to these policies is inaccurate and does not apply to this application.

3.3 The proposed grading in addition to the proposed 3 story structure would have a huge visual impact and eliminate views of the ski hills. The appearance of these structures will be far greater than 3 stories. In addition the plan to provide visitor parking at the end of the street is problematic. This section of Settlers Way is very narrow. Snow ploughing/removal would be difficult.

In closing I would like to say that we live in a beautiful part if the province. We are blessed with vistas that many do not have a chance to appreciate. It would be irresponsible to allow development to risk this beauty. There is already substantial development going on in the area. Over 900 homes are scheduled to be built within a mile on the lands just east of The Depot. Perhaps it is time to slow down and reflect on what this area may become if we are not careful and wise about our decisions.

Thank you for your consideration.
Dear Ms. Giles,

I am sending this letter to note my strong objection to the zoning change from R3 to R5 for the construction of eight townhouse units at 104 and 108 Settlers Way. Please consider the following concerns with respect to this zoning change request:

1) Traffic and Congestion in the Area
The properties at 104 and 108 Settlers Way are currently intended to house two dwellings. By increasing this to 8 townhouses, with two parking spaces per unit, the traffic on Settlers Way and Craigmore Crescent will increase substantially, particularly since there is no direct access to these lots from Grey Road 19. The Blue Mountain Shuttle already uses these roads to bypass Grey Road 19, and further increases in traffic will be detrimental to the families who have dwellings on these streets.

2) Parking Overflow
As noted above, each townhouse unit will be allotted two parking spaces, according to the proposal. As seen in the surrounding homes and furthermore in Tyrolean Village Resort, it is highly unlikely that this will be sufficient for any townhouse at all times. There is not a sufficient allotment for overflow parking in the proposal, and with no street parking on either Settlers Way or Craigmore Crescent, there will be nowhere for visitors and other additional vehicles to park.

3) Blocked Views
The proposal states that the new townhouse developments would not alter the view of existing homes in the area. As most of the surrounding dwellings are one- or two-storey buildings, the proposed three-storey structures would inherently block the view, particularly as it is located between Blue Mountain and the existing single-family homes in the area. Any potential change to this view could impact the property value of the existing dwellings.

4) Concerns about Private Usage for Short Term Rentals
While the application states that “The lands are not proposed for Short Term Accommodation Uses” the reality is that in the sharing economy, property owners are inclined to make the most of their holdings through short-term rentals via services such as Airbnb. Technically anyone in the area could do this, but with the density of the townhouses and the potential to have many
people in each unit, it has even more potential to affect the traffic, parking, and even noise concerns in the area. This can be seen on almost any given weekend in the Tyrolean Village Resort and the short term accommodation uses there. While the townhouses will not intended to be zoned for such short-term usage, it seems uncertain how it could be prevented once the townhouses are sold and under private ownership.

5) Character of the Neighbourhood
In addition to impacting the view of the surrounding dwellings, the proposed townhouses are not in alignment with the existing character and quality of the neighbourhood. As noted, the homes on Settlers Way and Craigmore Crescent currently are single-family, detached homes, and previous applications for other lots have required that this be maintained. To now introduce such a notable increase in density is not in alignment with the Official Plan.

Not only would approving this proposal create a change to the character of the current neighbourhood, but it would also set a precedent that could allow for more such developments in future as older properties are redeveloped.

As a property owner on Craigmore Crescent, I value the character of the existing neighbourhood while also recognizing the need to allow for continued development and redevelopment of older properties. Having said that, this proposal does not do so in a manner that respects the development parameters in the Official Plan, creating too much density for the surrounding infrastructure and the character of the area.

I request that the change of zoning request from R3 to R5 be denied and that the R3 residential zoning remain in effect for any future development of these properties.

Best regards,
From: [Redacted]
Date: May 10, 2018 9:46 PM
To: "Town Clerk" <townclerk@thebluemountains.ca>
Attach: RESPONSE TO APPLICATION for ZONING AMENDMENT.docx
Subject: Response to Zoning Amendment Application

Attention: Town Clerk

Please find attached our response to the Application for Zoning Amendment on the property 104 & 108 Settlers Way.

Please notify us of any decisions made regarding this application in Council.

Thank you for your consideration.
Best Regards,
RESPONSE TO APPLICATION for ZONING AMENDMENT /104/108 Settlers Way

Inherent in the proposed plan to build eight townhouse/condo units on lots 104 and 108 Settlers Way in the Town of the Blue Mountains are several serious problematic issues:

1) RESTRICTIVE ACCESS

Access to the proposed units from Settlers Way is extremely restrictive providing only a single-lane road prohibiting 2-way traffic. Currently 2 properties have no driveways which forces occupants to park on Settlers Way. (Permission was granted for those property owners to park directly on the road in order to have access to their homes).

In the “Planning Justification Report” (p.14) access and circulation would be improved through the redevelopment of subject lands and improvements to the roadway. However, any “improvements” to the road would entail widening the street and negatively impact existing properties located between Craigmore Cres. and Grey Rd. 19 (Blue Mt. Rd.) on Settlers Way. These single-detached homes have no property available for widening the street or expropriation of property.

In the opposite direction (southeast) along Settlers Way or adjacent streets, Craigmore Cres. and Pioneer do not require redevelopment.

2) SAFETY COMPROMISED

I emphasize the fact that access to Grey Rd 19 from Settlers Way has been closed to traffic for several years, quite justifiably, because former access is situated on a dangerous curve where driver visibility is limited. (See Planning Justification Report P. 1 pp. 1.1) The suggested ‘second access’ in the proposed development from lot 104 to Grey Rd. 19 has not been utilized for several decades nor is it viable for future development. It sits metres below the road on a short 45 degree grade. Most significantly, it’s located on the same dangerous curve of Blue Mt. Rd. This section of Grey Rd. 19 is notably a busy highway with higher than average volume of traffic from Blue Mountain recreational users, tourists and local residents. Redevelopment of this section of the road would not provide a safe access point or part of a traffic circulation pattern.

3) INADEQUATE PARKING / GREENSPACE

The proposed condo development would permit at least 16 vehicles for residential parking spaces. Additional visitor parking could not be provided in this limited space or on Settlers Way without blocking passage for existing properties adjacent to the site. Proposed landscaping may be attractive but does not provide any outdoor greenspaces to the condo occupants in a community which values and protects usable green space.
Despite recent efforts of the Town to prohibit parking on adjacent streets in the area, enforcement of the parking by-laws has been frequently unsuccessful, especially in peak usage times such holidays and long weekends.

4) IMPLICATIONS OF INCREASED TRAFFIC AND IMPACT ON INFRASTRUCTURE

The infrastructure on Settlers Way and Craigmore Cres. was not developed to support the higher density proposed in the “Mountain Development” project. When sewers were introduced into the area, the Mayor at the time, assured residents that sewer installation did not mean the existing lots on the Official Town Plan could be subdivided for increased density.

Increased density represented then, as it does now, long range negative impacts including:

- over-abundance of cars/ trucks and maintenance vehicles on streets
- potential road surface damage due to construction equipment
- proposed raised height elevations of the property altering the water course
- potential flooding of neighbouring properties with altered water flow
- increased height elevations obstructing views for neighbours
- limited access for essential services such as snow removal, emergency vehicles and waste/recycling removal and safe passage for school buses in the area

In conclusion, the objections to building this development are well-founded. Existing Zoning By-Laws for the vicinity (R3 Residential Third Density) were designed in part to protect the rights of residents in the community. The Amendment proposal, in this case, lacks respect for the Zoning By-Laws process and for the residents of the area who have chosen to live in a neighbourhood of single-detached homes in the Town of the Blue Mountains.

We question why our rights as property owners are undermined by the Town. Now you are proposing to put 8 units on 2 lots in total contravention of the current density designation. Do existing By-Laws mean nothing to the Town?

The Town cut off access from Settlers Way and the southern end of Craigmore Cres. connecting with Blue Mt. Rd. for safety reasons! Why would consideration be given to creating a new access between the former access points, by a private developer, on such a dangerous corner?
Accept our objections to this development in good faith, with the best interests of the residents of this community in mind. To amend existing protective By-Laws sets a dangerous precedent for Zoning By-Laws Amendments now and in the future.

Please notify us of any decisions from Council regarding this Application for Amendment.

Submitted

[Redacted]

Town of the Blue Mountains

L9Y 0N9

[Redacted]

Settlers Way

was submitted by email.

In addition proposed objections were not noted from.

Craignore Ave
From: Penny Bell
Sent: Friday, May 4, 2018 1:02 PM
To: Town Clerk <townclerk@thebluemountains.ca>
Subject: Mountainside Application 104 & 108 Settlers Way TOBM

May 4, 2018

Town Clerk of the Town of The Blue Mountains,
32 Mill St.,
Thornbury, Ont. N0H 2PO

Sent by email: townclerk@the bluemountains.ca

To Whom It May Concern,

Re: Mountainside Developments Application to build 8 condominium units on 104 & 108 Settlers Way, requiring Zoning Amendments to permit a change in density (from R3 to R5) and a decrease in setbacks (from 23.7 to 6.2 m).

We oppose the above request for zoning amendments for the following reasons:

(1) This proposal, to squeeze 8 high units onto a tight area, with decreased setbacks, is completely out of context and out of scale with the immediate surrounding residential neighbourhood, which consists of detached residential homes on large lots. The County and Town’s Official Plans allowing “Residential Intensification” and containing a designation of “Recreational Resort” for this parcel do not justify the building of high density projects in the middle of such established residential neighbourhoods.

This is not a built up urban area, or an area within the “Recreational Resort” area, where such high density projects would be appropriate, and is no way “consistent with the intent and purpose of the Official Plan,” as submitted by the developers.

Furthermore, for the developers to state that this parcel of residential land is “under utilized” would mean that every larger residential lot in the area would be suitable for a similar high density project.

(2) This proposal clearly does not have enough parking. One parking spot per unit in front of a single car garage is inadequate. This will result in people parking on Settlers Way and on Craigmore Cres.

(3) This proposed development is on a section of Settlers Way that is a quiet dead-end street. This proposal would turn it into a heavily trafficked street.

(4) The proposed development will in no way “enhance the existing streetscape.” The “visual impacts” of the proposed units, including their height, their proximity to the street, and their stark architecture, are completely out of context with the immediate residential neighbourhood.

Thank you,
RESPONSE TO APPLICATION for ZONING AMENDMENT /104/108 Settlers Way

Inherent in the proposed plan to build eight townhouse/condo units on lots 104 and 108 Settlers Way in the Town of the Blue Mountains are several serious problematic issues:

1) RESTRICTIVE ACCESS

Access to the proposed units from Settlers Way is extremely restrictive providing only a single-lane road prohibiting 2-way traffic. Currently 2 properties have no driveways which forces occupants to park on Settlers Way. (Permission was granted for those property owners to park directly on the road in order to have access to their homes).

In the “Planning Justification Report” (p.14) access and circulation would be improved through the redevelopment of subject lands and improvements to the roadway. However, any “improvements” to the road would entail widening the street and negatively impact existing properties located between Craigmore Cres. and Grey Rd. 19 (Blue Mt. Rd.) on Settlers Way. These single-detached homes have no property available for widening the street or expropriation of property.

In the opposite direction (southeast) along Settlers Way or adjacent streets, Craigmore Cres. and Pioneer do not require redevelopment.

2) SAFETY COMPROMISED

I emphasize the fact that access to Grey Rd 19 from Settlers Way has been closed to traffic for several years, quite justifiably, because former access is situated on a dangerous curve where driver visibility is limited. (See Planning Justification Report P. 1 pp 1.1) The suggested ‘second access’ in the proposed development from lot 104 to Grey Rd. 19 has not been utilized for several decades nor is it viable for future development. It sits metres below the road on a short 45 degree grade. Most significantly, it’s located on the same dangerous curve of Blue Mt. Rd. This section of Grey Rd. 19 is notably a busy highway with higher than average volume of traffic from Blue Mountain recreational users, tourists and local residents. Redevelopment of this section of the road would not provide a safe access point or part of a traffic circulation pattern.

3) INADEQUATE PARKING / GREENSPACE

The proposed condo development would permit at least 16 vehicles for residential parking spaces. Additional visitor parking could not be provided in this limited space or on Settlers Way without blocking passage for existing properties adjacent to the site. Proposed landscaping may be attractive but does not provide any outdoor greenspaces to the condo occupants in a community which values and protects usable green space.
Despite recent efforts of the Town to prohibit parking on adjacent streets in the area, enforcement of the parking by-laws has been frequently unsuccessful, especially in peak usage times such holidays and long weekends.

4) IMPLICATIONS OF INCREASED TRAFFIC AND IMPACT ON INFRASTRUCTURE

The infrastructure on Settlers Way and Craigmore Cres. was not developed to support the higher density proposed in the “Mountain Development” project. When sewers were introduced into the area, the Mayor at the time, assured residents that sewer installation did not mean the existing lots on the Official Town Plan could be subdivided for increased density.

Increased density represented then, as it does now, long range negative impacts including:

- over-abundance of cars/ trucks and maintenance vehicles on streets
- potential road surface damage due to construction equipment
- proposed raised height elevations of the property altering the water course
- potential flooding of neighbouring properties with altered water flow
- increased height elevations obstructing views for neighbours
- limited access for essential services such as snow removal, emergency vehicles and waste/recycling removal and safe passage for school buses in the area

In conclusion, the objections to building this development are well-founded. Existing Zoning By-Laws for the vicinity (R3 Residential Third Density) were designed in part to protect the rights of residents in the community. The Amendment proposal, in this case, lacks respect for the Zoning By-Laws process and for the residents of the area who have chosen to live in a neighbourhood of single-detached homes in the Town of the Blue Mountains.

We question why our rights as property owners are undermined by the Town. Now you are proposing to put 8 units on 2 lots in total contravention of the current density designation. Do existing By-Laws mean nothing to the Town?

The Town cut off access from Settlers Way and the southern end of Craigmore Cres. connecting with Blue Mt. Rd. for safety reasons! Why would consideration be given to creating a new access between the former access points, by a private developer, on such a dangerous corner?
Accept our objections to this development in good faith, with the best interests of the residents of this community in mind. To amend existing *protective* By-Laws sets a dangerous precedent for Zoning By-Laws Amendments now and in the future.

Please notify us of any decisions from Council regarding this Application for Amendment.

Respectfully submitted,

Property Owners: [redacted] Settlers Way

Town of the Blue Mountains

L9Y 0N9
May 8, 2018

Ms Corrina Giles
Town Clerk
Town of the Blue Mountains
32 Mill Street, Box 310
Thornbury, Ontario
N0H 2P0
Via email: townclerk@thebluemountains.ca

Re: Mountainside Developments

Dear Ms Giles:

Please accept this submission as our formal opposition to the proposed Mountainside Developments at 104 and 108 Settler’s Way, Town of the Blue Mountains. Please also notify us of any decision that is made.

We strongly oppose this development on the following grounds:

1. We do not agree that there is a “need” to build a high density project in the middle of a long established residential neighbourhood comprised of single family dwellings. We purchased our home on Craigmore Crescent for ourselves and our children and not in other neighborhoods in the Town precisely because the neighborhood is comprised of single family dwellings and not multi-unit dwellings.

2. The proposed development does not contain sufficient parking and will most certainly result in overflow parking onto Settlers Way and Craigmore Crescent, where parking is prohibited. The proposal currently only allows one parking spot in the garage and one in the driveway per unit, and only two visitor spots for the entire driveway. One need only walk through Tyrolean Village on any given weekend and you will often see as many as 20 vehicles (or more) parked in front of certain properties.

3. Adding this level of density will turn a quiet, dead end street into a heavily trafficked street, posing danger to our neighborhood residents, many of whom are children and seniors. The likelihood of loud, late-night partying within this high density development is high and extremely undesirable to us and our neighbors.

4. The height of the proposed development, the decreased setbacks and their stark, modern design are in sharp contrast to the surrounding neighborhood. This will not “enhance the existing streetscape” as the proposal says. Rather, it will be an eye-sore.

We sincerely hope that Town staff and Council will acknowledge the major flaws in this proposed development, and reject the zoning amendment.

Sincerely,
May 11th, 2018

Corrina Giles
Town Clerk of the Town of the Blue Mountains
32 Mill Street, Thornbury, Ontario
N0H 2P0

Email townclerk@thebluemountains.ca

Re: Mountainside Developments Application to to Build Eight Condominium Units on 104/108 Settlers Way and the Zoning Amendments for a Change in Density (from R3 to R5 and to decrease the setbacks, from 23.7m to 6.2m

We are writing to object to the proposal to rezone the land at 104/108 Settler’s Way from Residential Third Density (R3) to Residential Fifth Density (R5) and also to oppose the request for an exemption to the site specific provisions to permit a reduced setback to Settler’s Way and the request to increase the height of the proposed townhomes. Please notify us of any decision that is made regarding this proposal.

We oppose the requested proposals/zoning amendments for the following reasons:

1: Craigmore Crescent and Settlers Way is one of the oldest residential areas at the foot of Blue Mountain. Our family has owned our property for over 60 years. Our neighbourhood streets include a variety of residential, single family homes, with most of the home owners living here on a permanent basis not seasonally or short term. We do not feel that a high density eight townhouse project of potentially rental/leased properties would be an asset to our current neighbourhood. The mention in the Planning Justification Report of “the proposed density being appropriate and reflective of densities permitted within the Blue Mountain Village area” is flawed in that the Blue Mountain Village was developed and built as a commercial/hotel/restaurant area and it’s goal and purpose is to draw people to it’s attractions as a source of income while our residential neighbourhood is to allow people to live quietly. Lets leave the Village where it is. That is its character not ours.

The decreased setbacks, the height variances and the architectural design will not fit in with or improve the character of the neighbourhood. These requirements were put in place to regulate development and all of the home owners have followed these in the building and maintaining of their homes and properties. Why should concessions be allowed now?

2: Increased traffic and parking are another issue. Settlers Way is a quiet dead end street, that does not have the width of a regular street, labelled in the report as a “Local Heritage Road”. The traffic will have to filter out onto Craigmore Crescent. There already is a bylaw in our area prohibiting the parking on any
of the streets. Two parking spaces per unit with one being inside the garage and only two extra parking spaces for the complex will result in a parking problem. In the proposed Site Plan, Figure 3, the angle that the proposed entrance seems to be intersecting with Settlers Way is at an acute angle that would have cars turning at a 45 degree angle towards Craigmore Crescent. Is another exit driveway planned for the development at the mentioned “second access” onto Grey Road 19, page 1, point 1.1 of Description of Subject Property? How would a fire truck, ambulance or even the garbage and recycling trucks get in unless they did a three point turn or more? Where will the snow be pushed to? Where will the development’s garbage bin area be located so a truck can get to it?

3. As mentioned in the Description of Subject Property, page 1, point 1.1, the land is approximately 2.0 metre lower than the centre of Grey Road 19 and the proposal is to raise the land level to Grey Road 19 “consistent with the established road grades”. This would result in a possible water level run off toward the neighbouring properties which will be significantly lower.

4. Referring to the comments on page 13 regarding the 45 degree angular plane to suggest that because we are in the shadow of the mountain that we should not worry about the shadow impacts of a 3 story, building is questionable as we can see the mountain and would rather not only be able to see the town houses ...to suggest that the height of the proposed units is negligible?

5. The property at Settlers Way will have privacy fencing at his entrance way to his home and right beside his deck and will not have a view of anything except the fence.

The proposal looks impressive and the developer is trying to appear to be neighbourhood friendly, conscientious and following the different, County and Town plans BUT...go stand on the street and try and visualize what it will look like and it will be the opposite. There is a lot of development going on in our area where a townhouse complex such as this proposal would be a perfect fit but I do not think it is on this part of Settlers Way. The proposed developments in Tyrolean Village and off of Helen Street north to the Craigileith Depot have the room for this sort of development instead of trying to squeeze a development into a confined space such as Settlers Way.

Thank you for your time and I hope that consideration can be given to the concerns of the property owners instead of a new developer trying to change the unique character of our community.
May 10, 2018

Letter to Town of The Blue Mountains

We are writing with concerns regarding the proposed 8 unit townhouse development at the west end of Settler’s Way in the Town of the Blue Mountains. We are full time residents at Settler’s Way (located near west end of street) and many of our neighbours at this end of the street are also full-time residents, all in single family homes.

The following are our major concerns:

Zoning

This property is currently zoned as R-3 which is for single family residences. The proposal states that the subject properties are underutilized. If this was the case, the whole area on Craigmore Crescent and Settler’s Way would be underutilized as all of our lots in this older subdivision are large lots and many double lots. If this townhouse development is approved, will this set the precedent for more of our neighbours requesting their zoning be changed to allow for commercial uses?

Recently built homes in the area have taken advantage of the large lots to build larger single-family homes in compliance with the current zoning. We feel that better and more appropriate use of the land in question would be to replace the original homes on these two properties with homes that will fit into the area and comply with the current zoning.

Settler’s Way is currently designated as a “Local Heritage Road” which we would like it to remain as.

Density

The developer is requesting re-zoning to R-5 which allows for density up to 10-UPH. The developer is further asking for greater density than allowed under R-5 and similar to Blue Mountain Village. This is completely different as Blue Mountain Village is all Short Term Commercial Rentals and the units are rented as hotel rooms.
In the early 2000’s, an application was made to split the lot we currently live on at Settler’s Way into 2 lots. This proposal was turned down by the town due to density concerns. This is a precedent for the area. As a result, we built, in 2012, a single-family home on a double lot. We do not believe our property is underutilized but is in tune with the area we live in.

Traffic

We believe all entrances to all 8 townhouses, should this proposal be approved, will end up being on Settlers Way. The draft document is a little unclear as to whether there will be an entrance on Grey Road 19 but does say there will be front entrances on Grey Road 19. However, an entrance on Grey Road 19 is the jurisdiction of Grey County and we do not believe they will be granted an entrance given Grey County closed this entrance and another entrance close by (at post boxes on Craigmore) due to, we believe, it being a dangerous corner.

We are concerned with increased traffic on Settler’s Way. Due to Tyrolean Village backing onto many of our homes, many of us use our front decks/yards to enjoy the outdoors. With 8 plus townhouses up the street with 2 car parking each, we are concerned that the increased traffic will create noise and impede our privacy.

In addition, if they do, in fact, have Settler’s Way opened up to Grey Road 19, the traffic will even be worse as this will open up a thoroughfare to the whole Heritage Corners subdivision.

Views

Views of the ski hill and escarpment, which we currently enjoy, will be impacted. In the proposal we noted that they want to raise the property to the level of Grey road 19. We believe with their proposal the townhouses will be excessively high as they want first floor walk outs to Grey Road 19 plus they want 2 full floors above. Currently Grey Road 19 is many meters higher than the current grade of the land so the height would be far and above what a single-family home would contemplate. The pictures also look like they are planning
basements so they are looking at 4 level townhouses with the basements partially above grade.

Many of us have bought lots and homes in the area in order to enjoy the views. We have seen views being taken in the area with the units at the Arrowhead development which overtook the views of Summit Green.

We believe this could be repeated, should the proposal be approved.

Water Management

Due to many of the variances they are asking for including the variances on setbacks and height, we have concerns on how they will handle water – specifically the spring runoff to insure it does not flow back onto the neighbours or out onto Settlers Way? This seems to be an extreme and unnecessary increase in the grade which would lead to water management issues for all of us in the downstream area.

Short Term Accommodation

Although the developer claims he will not be using these townhouses for Short Term Accommodation, we have concerns that the Town has not enforced the rule they put in place several years ago and they are either turning a blind eye to STA’s or are granting STA Approval to homes well past the deadline on the website and without all the necessary factors in place.

We request that you please take our considerations into account.

Many thanks for your consideration,
From: Glenn Weir  
Sent: Friday, May 11, 2018 12:08 AM  
To: Town Clerk <townclerk@thebluemountains.ca>  
Subject: OBJECTIONS TO PROPOSED PLANS FOR 104 & 108 SETTLERS WAY

ATTENTION

CORRINA GILES

TOWN PLANNER

I strongly object to the proposal to rezone the above mentioned properties from residential Third Density (which permits only single detached dwellings) to Residential Fifth Density HEIGHT LEVELS.

It cannot be allowed to let the developer block the view corridor towards the mountain for the surrounding neighbours. If allowed it would set the precedent for all older homes or properties along Grey Rd 19 that will be rebuilt in the future. Any redevelopment in the area should be restricted to building from the existing pad level up to its maximum allowed height level and no higher.

DENSITY

With the narrower street the required car parking for that many units would cause chaos. With the existing homes in the immediate area there is already parking on the narrow street.

In the winter time and snow accumulation there would be extreme parking chaos in the immediate area and the Ontario Provincial Police would be called out at least every second day to stop fights amongst unit owners over parking issues.

I also concur with all the issues raised in David Dunphy and Heather Macnaughton's submission RESPECTIVELY.
Further to my May 11 submission

I strongly suggest that the local Fire chief and the head of the local OPP be advised of the density concerns and be given the opportunity to have input into the proposal before a final decision is made.

RESPECTIVELY
Attention: Corrina Giles, Town Clerk
Town of the Blue Mountains
32 Mill Street
Thornbury, ON
NOH 2P0

Re: Mountainside Developments
Application for Zoning Amendment – 104 & 108 Settlers Way

Roll: 42420000325800 & 42420000326400

Dear Ms. Giles:

We wish to make you aware of the strong objection we have to the application to build eight townhouse units on the subject property, by way of granting a zoning density change from R3 to R5 on Settlers Way. Further, we object to the rationale provided in the Planning Justification Report for 104 and 108 Settlers Way submitted by Mountainside Developments dated February 9, 2018.

There are many reasons why this proposal should not be granted, and we hope you will give consideration to these important issues.

Architecturally, there are no townhomes on the nearby streets. The townhomes that do exist, are isolated and not crammed into the single family home areas. We feel this proposal does not respect the local context of the surrounding buildings, and would be entirely out of character to the detriment of the local residents. This proposal fails to take the opportunity available to improve the character and quality of the neighbourhood in the development of that space. In addition, the proposal highlights the extensive landscaping that would be done. This is clear evidence that this is a further effort to hide the architectural deviation from the neighbouring single detached homes in an attempt to make the appearance blend in. The proposal states there would be no change in the views of the neighbouring homes despite the fact that it would be the only 3 story structure in the area. We firmly disagree with this sentiment, as a 3 storey structure would certainly block the views of the escarpment and even reduce those property values as a result.

The developer is proposing a total of 8 units be built on an existing 2 lot parcel. This is an additional 6 units than originally intended, or in other words, a 300% increase of residential units in that space that the current R3 zoning allows. With such an increase, it is inconceivable to not recognize the congestion that would be created on Settlers Way, Craigmore Crescent, and surrounding access points. It is possible and likely, that some or all of these units will be purchased by investors for seasonal vacation rentals. The proposal for parking is 2 spots per unit, and 2 guest parking spaces total. This is absolutely insufficient as evidenced by the number of vehicles drawn to rental properties at nearby Tyrolean
Village Resorts. With no street parking available on Settlers or Craigmore Crescent, there would certainly be substantial parking problems.

Further, the added traffic would have a significant impact on the immediate and surrounding properties. With 300% more unit owners on this street for the subject lots, there would be that much more traffic added on Settlers Way, as there is no direct access from Grey Road 19. This is traffic that would be in addition to the Blue Mountain shuttles that choose to use Craigmore Crescent on a regular basis rather than Grey Road 19. Notably, the other townhouse complexes as highlighted in the proposal all share a common characteristic in that they all have virtually direct access to Grey Road 19. It would appear as though those developments considered the effect on local traffic with the increase in density. That same consideration needs to apply to this proposal, and not permit such a radical increase in density tucked into a corner.

As concerned property owners, we understand the need to redevelop old properties and even add to the density of the area to fully utilize services and utilities. In fact, redevelopment can be very positive for neighbouring properties if done in a manner that is tasteful and respects the development parameters in the Official Plan. However, this proposal takes that concept way too far in our view, and increases the density in that location that is not consistent with the Town Plan or character of the neighbourhood. Futher, if this rezoning is permitted, we fear that this will set a precedent for all the neighbouring vacant lands in the area.

We request that this application for rezoning be denied, and remain as Residential Third Density (R3).

Regards,
Response to Application for Zoning Amendment 104-108 Settlers Way

May 22, 2018

To the Town of the Blue Mountains

Thank you for hosting the meeting last Monday May 14, 2018 regarding the Application for Zoning Amendment 104-108 Settlers Way. Please keep us informed of any decision.

During the public meeting several concerns came to light as follows. These concerns are in addition to the concerns already expressed in a previous letter.

Aerial Services/No Street Lights

As an older enclave of homes where 104/108 Settler’s Way are located (west end of Settler’s Way and Craigmore Crescent), originally developed over 60 years ago, we have aerial services for cable, Telephone and Hydro and NO STREET LIGHTS. This area was also originally developed before town services for Water and Sewer. Town water and sewer have been in place for a couple of decades but the wires were never buried. All lots were meant to be at least 1/3 of an acre although there are some exceptions.

Our area is not to be confused with Heritage Corners (built in the late 80’s/early 90’s) which was developed with fully buried services and street lights and much smaller lots. The wireline services run down the north side of the street and the proposed development is on the south side. This would mean 24 additional wires strung across the street (3 wires per townhouse), should this proposal be accepted.

Garbage Services/Recycling

We noticed at the meeting that there did not appear to be a plan for garbage services. The fact that each resident is meant to put out garbage/recycling (2)/green bin totalling 4 each on the south side of the street would be quite a mess. 4 containers per townhouse times 8 units means 32 containers on the street. Normally condos have garbage recycling rooms serviced by private garbage/recycling companies. There is no room for a garbage room or a plan for this. Clearly using town services at the road side would create quite a pig sty and be unhealthy attracting animals and bugs.

Conflict of Interest

We are gravely concerned about a real and perceived conflict of interest. At the meeting we were told that the owner of 108 Settler’s Way (one of the properties proposed for development), who is also an employee of the Town, has been a major source of information on this project. We believe, due to the fact that he is a confirmed source of information on the project, that any speaking on his part to anyone involved is enough to be acting in a Conflict of Interest, no matter how many times along the way he claims he is excusing himself by saying he is in a Conflict of Interest.
We have reason to believe his property at 108 Settler’s Way may have been sold conditionally to the developer if the proposal is accepted. If the proposal is not accepted, will his sale to the developer fall through?

Traffic Lights

The Developer’s Representative suggested that they would be willing to place traffic lights at the intersection of Settlers Way and Grey Road 19. This intersection was closed down decades ago due to its inherent safety issues. We do not believe this is a proper place for a traffic light as cars will not be able to see around the corner to stop quickly enough and this would also cause accidents.

If it was deemed safe with traffic lights it certainly could not handle the increased traffic load with out being upgraded. Settlers Way would become a main feeder road not only to our small enclave of homes but all of Heritage Corners and on through to Brooker Boulevard. The only way this road could be upgraded would be to expropriate land from the side of 104-108 Settlers Way that the developer is asking for a variance in setbacks on so this would not work either.

In addition, traffic lights are expensive, so this again would point to a higher price point for these townhouses, so not affordable housing.

Million Dollar Neighbourhood

The Developer’s Representative said that they were proposing affordable housing in a Million Dollar Neighbourhood. The enclave /community/ neighbourhood, of homes on Craigmore Crescent and Settlers Way is not a Million Dollar Neighbourhood. The two homes that were shown on the overhead as representative of the area giving testament to her Proposed value are the exception not the rule. This is an older neighbourhood with mixed stock, all single family detached homes, some larger some quite small, very few would sell for over ONE MILLION DOLLARS.

The proposed town homes are to be of a modern design with higher end finishes, garages and 3 ½ to 4 storeys (which is another issue as the document states 3 storeys and yet the town planner admitted they will be minimum 3 ½ to 4 stories). What price point exactly do they believe is affordable? It would not make economical sense for them to build as described and sell for the three to five hundred-thousand-dollar range.

If one is looking for affordable town homes in this resort recreational area they are quite readily available. One need only look at; Mountain Springs, Heritage Corners Phase 1 and 2, Arrow Head, Summit Green, Mountain Ridge, Olympic Lane, Monterra Ridge, the new Mountain House (condos) at Windfall, Historic Snowbridge, Cachet Crossing, Chateau Ridge, Wintergreen, Rivergrass, or Mountain Walk. These properties can be purchased at price points starting at $130,000 for a studio in Mountains Springs up to $700,000 for some of the higher end units. We do not need to rezone this unsuitable property to find an affordable alternative.

Adjacent to Commercial Property?

According to the Developer, the lots at 104-108 Settlers Way are unique as they are bounded by County Road 19 and a Commercial Property. The Commercial Property (Alpine Sports) is actually located across the street from these two lots, not bounded by, and Alpine Sports has many feet of frontage on Grey
Road 19. The lot at 108 Settler’s Way is not on Grey Road 19, nor ever has been. The lot fronts on Settlers Way, a Heritage County Road with a side lot on Grey Road 19. If you look further east on Settlers Way one would also discover that some homes share a back-property line with commercial properties (Tyrolean Village) so these properties would have more in common with being close to commercial than 104/108 Settler’s Way would be.

**Town Planning**

If we go back to the Fathers of modern Town Planning in Ontario, Frederick Gardiner and Tracy LeMay, they believed that Like went with Like. Planning was about building communities of similar zoning not what is being suggested here. Many communities have tried mixed development areas, few have found success.

**Knowledge of the Community**

The Developer’s Representative claims that she has been a long-term weekender in this neighbourhood and understands all of the safety concerns of the corner her new property is on. She did build a new home on the edge of our enclave which was immediately put up for sale, prior to completion. The residents do not remember seeing her in our community and the house had always looked pretty empty. She noted at the meeting that the home sold in February and around that time we noticed that it appeared to be on a short-term rental program with different vehicles there each weekend over the winter.

In addition, at the meeting, the Developer’s Representative referred continually to Grey Road 19 (formerly Mountain Road) as Highway 19, not something we have heard anyone say, even those coming up on weekends.

**Conclusion**

We believe there has been little research done with respect to the proposed project and the issues of overhead wires, garbage handling, safety, road size, access, as well as the concern of the townhomes not fitting into the neighbourhood are sufficient to turn down this proposal.

Thank you for your continued consideration of our concerns.

Sincerely,
TO: CORRINA GILES, TOWN CLERK
TOWN OF BLUE MOUNTAINS

FROM: [Redacted]

RE: 104/108 SETTLER'S WAY

THE PROPOSAL

1. REZONE FROM R3 TO R5

I SCARCELY KNOW WHERE TO START:
- EXTRA TRAFFIC ON A NARROW ROAD
- POSSIBLE POOR DRAINAGE DUE TO SNOW MELT, PLOWING, DITCHING/ CULVERT ON THIS NARROW ROAD
- PROBABLE INVESTOR PROPERTIES WITH RENTAL POTENTIAL (½ STAIRS WILL HAPPEN — PARTY HEAVEN)
- VISUAL ENCROACHMENT ON 110 SETTLER'S —— A 6.2 M SET-BACK VERSUS A 2 STOREY SET OF UNITS 6.7 & 8 (2 STOREYS X 4 ½ M/STOREY) IS BOUND TO RESTRICT 110 SETTLER'S VIEW OF THE MOUNTAIN, WE ARE USED TO THE MOUNTAIN SHADOW BUT WE WOULD LIKE TO SEE THE MOUNTAIN
- IT SOUNDS LIKE FENCING BETWEEN 108 & 110 IS LIKELY, MORE VISUAL ENCROACHMENT IN AN AREA OF, UNTIL RECENTLY, NO FENCES

I COULD GO ON BUT "YOU" WILL NOT HAVE THE TIME TO READ IT ALL .

BUT ON A PERSONAL NOTE —— WHEN I BUILT CRAIGMORE IN 1989, I HAD TO ABIDE BY THE SET-BACKS, NOT A NICE THING ON A CORNER LOT —— BUT RULES ARE RULES. IN 2009, MY ADDITION FOLLOWED THE SAME RULES; I LIVE WITH IT.

110 & 108 SETTLER'S DATE FROM ± 1960's, IF WHEN THEY WERE REPLACED, THE SET-BACKS CURRENTLY IN VOGUE, WOULD APPLY.
WHY THEN SHOULD A NEW BUILDING NOT FOLLOW THE SAME RULES? 7.5 M VS 4.0 M IS A BIG JUMP. I OBJECT!

THE 6.2 M TO THE EAST IS ALSO UNACCEPTABLE FOR THE SAME REASON AS IMMEDIATELY ABOVE BUT ALSO THE VISUAL AS ON PAGE 1.

--- I COULD GO ON ---

2. I RECOGNIZE THAT RE-DEVELOPMENT IS INEVITABLE. I HAVE A HARD TIME ACCEPTING BIG CITY DENSITY IMPOSED ON A NICELY RURAL AREA. I WOULD PREFER, SAY, THREE OR FOUR DETACHED HOUSES INSTEAD OF A WALL OF CONDOS.

PLEASE KEEP ME INFORMED AT ABOVE ADDRESS OR BY PHONE AT [REDACTED] --- OR LEAVE A MESSAGE AT [REDACTED] AND I WILL RETURN YOUR CALL.

I AM NOT EMAIL FRIENDLY.

PRINTS:
FILE
B. HOLLAND
Mountainside Developments

104 and 108 Settler’s Way

Town of the Blue Mountains May 10/18

I am in disagreement with changing the zoning from R3 to R5. I purchased my property and built a single family home in accordance with the zoning by-law in 2001. I purchased on Craigmore Cres. because of the lot sizes and the varied dwellings. Each home has a character of its own. I do not want to live in a high density area. Passing this change to the zoning by-law will allow developers to purchase more land opening the gate to high density cookie-cutter living. Allowing three floor units when all the other homes in the area abided the zoning rule of two should not be allowed. As there is no street parking allowed the proposal for two visitor parking spots for eight units is not enough.

My concern is also on how this will affect water pressure, as it is low; our road especially through construction period, the damage heavy trucks may cause and where will the workers park;

Does the Town of the Blue Mountains have the infrastructure to take on more high density development? This may give more tax base for the Town, but for myself I came to Blue for the quality of life.

[Signature]

[Name]
May 10, 2018

Objections to Proposed Plans for 104 & 108 Settlers Way

We strongly oppose the proposal to rezone the above-mentioned properties from Residential Third Density (which permits only single detached dwellings) to Residential Fifth Density.

(1) The **only** roads that **directly access** the proposed development are lined with approx. **55** family residences. The closest entrances to the property from County Rd 19 are Heritage Drive and Craigmore Crescent. (see attached diagram)

**Significant vehicular and pedestrian traffic** will be generated by eight residences. Potentially **18 vehicles** (counting two parking spaces each plus two visitors spaces) could be roaring in to that property at the height of the season. Traffic means **noise and danger**.

(2) As in Blue Mountain Village, it is likely that potential purchasers would lease their dwellings for periods of time: weekends, weeks, or months at a time. Impossible to police within the **STA guidelines**.

We **don’t want** our close community to become a **transient community**.

(3) Contrary to the Justification Report, many **neighbours’ visual quality** will be **hampered**. Our view of the mountain will be blocked.

The **number and proposed height of the units are incompatible** with our neighbourhood.

(4) Current **setback requirements** are in place for a reason, ...and apply to **everyone** who wants to build, including those whose property might be at the end of a dead-end street. They **should not be waived** on a narrow road or to allow higher than the maximum gross density of 10 UPH dwellings (see page 12 or the justification report)

(5) Settlers Way north of Craigmore Cr **cannot accommodate parked vehicles** that are bound to arrive especially if townhouse residents host a party or invite guests to stay overnight.
Only single family residences are on the closest access roads from Grey Cty Rd. 19 to the proposed development on Settlers Way i.e. Craigmore Cr., Settlers Way to heritage, heritage Dr. and Pioneer Lane.
From: Corrina Giles
To: [redacted]
Subject: FW: OBJECTIONS TO PROPOSED PLANS FOR 104 & 108 SETTLERS WAY
Date: September-10-18 8:30:35 AM

Good morning [redacted]

I acknowledge receipt of your email below, further to the Public Meeting regarding Mountainside Developments at 104 and 108 Settlers Way, and confirm I have forwarded the same to Council for their information and consideration. I confirm your comments will be attached to the future staff report regarding this matter.

By way of copy, I am requesting that Planner Denise Whaley provide you with the date the future staff report will be considered by the Committee of the Whole.

Kind regards,

Corrina Giles, CMO
Town Clerk
Town of The Blue Mountains
32 Mill Street, P.O. Box 310
Thornbury, Ontario
N0H 2P0
Tel: 519-599-3131 ext 232
Toll Free: 1-888-258-6867
Fax: 519-599-7723
townclerk@thebluemountains.ca

Sign up to receive up-to-date Town news, bulletins and departmental information by visiting: http://www.thebluemountains.ca/subscribe-for-updates.cfm

From: [redacted]
Sent: Friday, September 7, 2018 3:55 PM
To: Town Clerk <townclerk@thebluemountains.ca>
Subject: Re: OBJECTIONS TO PROPOSED PLANS FOR 104 & 108 SETTLERS WAY

FURTHER TO MY EMAIL OF MAY 11 RE 104 & 108 SETTLERS WAY

At best the access to the properties is a glorified lane way.

It has recently come to my attention that the original developer of "Cornell" in Markham built houses with houses at the front and a lane way at the back for access to the garages similar to the Admirals Gate development on the water across from Cranberry.

After being built the Fire Marshall discovered the lane way was not wide enough for the current size of fire trucks to get through and most importantly to manoeuer in case of a real fire. Don Cousins was the Mayor of Markham at the time.

As a result the people who purchased the homes were not able to get fire insurance.
As a result the developer was forced to tear down the garages to widen the access road before any rebuilding of the garages to meet the requirements of the fire marshall

I strongly advise the FIRE CHIEF / FIRE MARSHALL make a personal visit to the site to review the plan implications before the current plans are finalized and approved

I am not a "NIMBY" person. I am for an intelligent development. This intense density of 8 units goes far over the line as opposed to a more reasonable 5 units / homes. Even under the current Ontario Planning Act this current proposal would represent egregious intensification and would set a terrible precedent for the immediate area.

SINCERELY

On Fri, May 11, 2018 at 12:08 AM wrote:

ATTENTION

CORRINA GILES
TOWN PLANNER

I strongly object to the proposal to rezone the above mentioned properties from residential Third Density (which permits only single detached dwellings) to Residential Fifth Density HEIGHT LEVELS.

It cannot be allowed to let the developer block the view corridor towards the mountain for the surrounding neighbours
If allowed it would set the precedent for all older homes or properties along Grey Rd 19 that will be rebuilt in the future. Any redevelopment in the area should be restricted to building from the existing pad level up to its maximum allowed height level and no higher.

DENSITY

With the narrower street the required car parking for that many units would cause chaos. With the existing homes in the immediate area there is already parking on the narrow street

In the winter time and snow accumulation there would be extreme parking chaos in the immediate area and the Ontario Provincial Police would be called out at least every second day to stop fights amongst unit owners over parking issues.

I also concur with all the issues raised in David Dunphy and Heather Macnaughton's submission
RESPECTIVELY
May 10, 2018

**Attention:** Corrina Giles, Town Clerk
Town of the Blue Mountains
32 Mill Street
Thornbury, ON
N0H 2P0

**Re:** Application for Zoning Amendment R3 to R5
Mountainside Developments

**Roll:** 424200000325800 & 424200000326400

**Property Location:** 104 and 108 Settler’s Way

Dear Ms. Giles,

Please accept our written objection to strongly oppose the above mentioned application for a zoning amendment from R3 to R5 on the properties 104 and 108 Settler’s Way.

The Planning Justification Report of February 9th, 2018 provided by Mountainside Developments proposes that eight 3-storey townhouse units be built on a parcel of land that is currently zoned for two single dwellings.

We oppose this application as it does not meet with the character of our immediate neighbourhood which consists of single family dwellings that do not exceed 2 storeys. Townhouses that do exist in nearby neighbourhoods are built separately and not on a small parcel of land between single family homes.

The proposal states that these townhouses will not hinder the view enjoyed by the existing residences but we would like to dispute this theory. Even extensive landscaping will not camouflage eight 3-storey units on a residential street of single dwellings.
Another concern we have is in regard to the extra traffic that will be generated from these units and their allowance for 18 parking spots (2 per unit and 2 visitor spots). The Settler’s Way and Craigmore Crescent intersection is already a busy corridor with the traffic from renters on Tyrolean Way and the Blue Mountain shuttle bus. These new units do not have direct access to Grey Road 19 and therefore their residents will also travel on these roadways.

Finally these townhouses are not being proposed for Short Term Accommodation Uses but what would stop the future owners from generating income via short term rentals and/or Airbnb. The proximity of this property to the Blue Mountain Village and the size of these units make this type of use very appealing.

We understand that in a mature neighbourhood like ours, properties will be redeveloped. We encourage improvements as long as they abide by the residential zoning by-laws of R3. It is important to protect the property values of our single family dwellings and therefore we ask that the request for R5 zoning be denied.

Regards,

[Town of the Blue Mountains, ON]
May 07, 2018

Town of The Blue Mountains

To whom it may concern:

My name is [REDACTED] and I am a full-time resident at 108 Settlers Way, The Blue Mountains, ON. L9Y 0N9.

My comments on the proposed plan regarding 108 and 106 Settlers Way is as follows:

Let the builder build 3 attractive chalets on this property. I'm sure they would still make a good profit and enhance the area and The Town would acquire more tax dollars than the current taxes.

Win, Win, Win.

Whether it is 8 units planned or 4 units the results will be the same and that is the issues surrounding this kind of density. Traffic, parking, snow removal, etc. This part of Settlers Way is both short and narrow. In winter narrower. I already get an inappropriate amount of snow ploughed on my front lawn not to mention the gravel that goes with it. With all the additional traffic this plan will create it will be fun trying to negotiate 2 vehicles going in different directions. But I digress.

It would be very naïve to think that a number of these 8 units won't be used as rental properties especially in view of the current shortage of accommodation close to the mountain. This could be a great motivator for purchasers to buy with the sole purpose of renting. Not good for the community. There are rental properties close to this development that have, at times, created problems for nearby full-time residents due to excess noise.

More importantly and not to be ignored!!! I believe there is a safety issue to be considered. With the potential number of additional skiers coming from Settlers Way (especially kids) crossing 19 to get to the hill opens up the possibility for pedestrian accidents. There is a bend from both directions at the point of crossing. Beware!!!

On a more personal note from what I can see in the proposed development my sight lines to the mountain will be severely affected not to mention the claustrophobic sense by being closed-in this much. Also, I believe my property value will be compromised by this plan.

I certainly hope a great deal of consideration is given to the existing, close by, property owners.

Regards, [REDACTED]
The development also provides a notable amount landscaped open space at 59%. The County's minimum setback requirement from the centreline of the road has also been satisfied.

All units within the development will be serviced with municipal water and sanitary sewers.
To the attention of the Clerk
Town of the Blue Mountains

May 8, 2018

Please accept this letter as opposition to the application for Zoning Amendment for properties known as 104 and 108 Settlers Way.

In the Town of Blue Mountains official plan, section 3.15-Infilling, clause 1, states in part that infilling shall be encouraged provided where such infilling “generally conforms in style and character with surrounding development”. This proposal does not meet this criteria.

Additionally we have concerns with the following;

1) Access- Settlers Way from Craigmore to the dead end is approximately 20% narrower than standard.
The access from Settlers way to the proposed site is an acute angle creating potential problems for service and emergency vehicles.

2) Parking – This is almost certain to be a problem with only two onsite visitor spots. It stands to reason cars will be parked on an undersized Settlers Way.

3) Height – The proposal includes a grade increase of two metres prior to construction.
Add to this three and a half story buildings, (actually four if you refer to the easterly rendering of the four units facing Grey road 19) there will be obstructed views.

4) Drainage – A two metre increase in property height, without significant changes to existing ditches, will create problems to properties to the east.

We hope that council sees as one of it’s many functions to, on behalf of it’s constituents to protect the integrity of established neighbourhoods. This application just does not fit.
Hello Corrina Giles,

I am writing to formally submit my comments regarding the proposal to be discussed at the public meeting May 14, 2018 at 5 pm.

These comments are with regards to the proposal for application for zoning amendment, to permit the build of eight townhouses on the property, 104 and 108 Settlers Way.

I wish to make it known that as a resident on that street I am concerned with many aspects of this request to change the zoning to permit the building of eight townhouses on the identified properties.

My concerns are;

1. The height of the said new build and that it will overshadow our property and block our view of the ski hill.

2. Many homes have been recently constructed in the area and have followed the single residency allowance and height restriction for the area, as a home owner this was the path that we were also pursuing for the future of our property, this change will affect the density and culture of the area which could potentially reduce the value of my property

3. Allowing this proposal to proceed could potentially provide an opportunity for future similar development surrounding my home.

4. The current street infrastructure cannot support this increase in traffic to support 8 new residences as well as there is no parking available to support the visitors of these homes, already snow removal and garbage pickup is an issue as the street is narrow and does not allow for maneuvering those large vehicles easily

5. With regards to infrastructure the revisions done 10 years + to the sewer and water for this area was most likely not done to support 8 homes on the said properties, it was done to support 2 homes.

6. The run off/ drainage would need to be redeveloped for this street as the current drainage does not support the current run off let alone support the street once the new development of 8 townhouses is completed.

7. The potential that these high density units will become rental units and that the culture of this area will become one similar to Tyrolean Village

Major concerns for this proposal as a home owner on this street, Settlers Way, is that the street cannot support the additional traffic/ parking, snow removal/ garbage pickup, concern with the current drainage, sewer, water and power supply to the street and the potential height of these structures not complying with the standards currently set for the area, the change in culture for the area if these become rental units.

Please accept this email as my submission for the town meeting May 14, 2018 to discuss the application being proposed

Respectfully submitted
Town of the Blue Mountains

May 11, 2018

Corrina Giles
Town Clerk of the Town of the Blue Mountains
32 Mill Street
Thornbury, Ontario
N0H 2P0

RE: Proposed 8 Unit Townhouse Development Rezoning Application at 104/108 Settler’s Way

Dear Ms. Giles,

We are writing to voice our objection to the proposed development on Settler’s Way. Based on the information that has been provided, there are several areas of concern that we believe need careful consideration. As a full time resident in the immediate vicinity we believe that the entire character of the neighborhood will be compromised with the addition of multi-family rental units that will likely ultimately be rented out on a short term rental basis. Additionally we have concerns regarding water and sewage management as well as traffic flow and parking. It seems to us that this townhouse development would be a better fit in a section of town that already accommodates such units and could afford it more area and access to appropriate services rather than squeezing it in among single family residences occupied by full time residents.

We respectfully request that the Town reject the rezoning application and would ask that you kindly notify us of any decisions or further steps that may be taken that will have an impact on our neighborhood.

We appreciate your time and consideration.

Kind regards
May 10, 2018

TO: Corrina Giles, Town Clerk, Town of the Blue Mountains

FROM: [Redacted], Owners [Redacted] Craigmor Crescent

RE: Proposed Zoning Amendment at 104 and 108 Settler’s Way

Dear Ms. Giles,

On behalf of Cheryl Warrington and myself, please note that we are opposed to this proposed zoning amendment. We are the owners of the detached home located at [Redacted] Craigmor Crescent, where we have been residents since 2011. Our backyard connects directly to the backyards of the properties in question at 104 and 108 Settler’s Way. We have an 8-year old daughter, Juliette.

When we decided to build our home seven years ago, we were drawn to this area because of its scenic beauty and quiet. We believed that the low-residential density of the homes comprising this neighborhood made for a perfect and safe environment in which to raise our child. As of now we remain happy with our decision.

This proposed zoning change however troubles us for the following reasons:

- **Unattractive new apartment structures.** The proposed tall, sprawling, multi-occupant dwellings are in no way consistent with the quaint, single dwelling residences of our neighborhood.
- **Noise.** Noise will likely be an ongoing nuisance, both during the massive construction and after high-density occupancy occurs.
- **Safety.** The introduction of up to 8 new residential units on a cul-de-sac will create unsafe complications regarding traffic flow and parking.
- **Respect for our neighborhood.** These apartment style units will likely draw non- or semi-permanent residents whom are likely to have little or no community attachment to, nor respect for, our peaceful neighborhood.

Last summer I taught Juliette how to ride her bike on and around Settler’s Way. This was a safe, quiet and delightful experience. We fear that this proposed zoning change will likely destroy the entire complexion of our neighborhood, frankly turning it into a party zone. For the sake of Juliette and her neighborhood friends, please reconsider this zoning amendment. There are several other nearby areas upon which multi-unit developments can fit nicely. Please do not let this decision ruin our neighborhood.

Sincerely,

[Redacted]

Town of the Blue Mountains
Re: Mountainside Developments roll: 424200000325800 and 424200000326400

Dear Miss Whaley

I am the property owner at [redacted] Grey Road 19.
Regarding the proposed development I have several questions:

Has a traffic study been done to look at the impact on sight lines due to the height and setbacks of the proposed townhomes. The property is situated on the bend in Grey Road 19 and it may well impact the visibility of vehicles traveling north around the bend to see vehicles pulling out of their properties after the bend?

Will Settlers Way be reopened onto Grey Road 19?

What is the plan for snow removal on the property? Will it stay on the property? Currently, we have been having trouble with Alpine Sports at 796437 Grey Road 19, who clear their snow off their property and pile it along the roadside shoulder on Grey Road 19 in front of our property. This creates a safety hazard by obstructing the view of vehicles rounding the bend on Grey Road 19, making for a dangerous exit from our property. I would not want to see further piles of snow pushed out to Grey Road 19 on this corner that would do the same. Snow accumulation needs to stay on the property and should be part of the site plan.

Looking forward to your response.

[Redacted]
Hi Corrina,

This email is regarding the proposed development and zoning amendment for the lots at the end of Settlers Way. I have concerns because I believe these units will be used as rental units, and the developers (the Doornboschs) has some possible influence with the town with respect to decision making. I suspect this because of past conversations I have had with the couple, who owns Mountainside developments.

When I first met Mr. Doornbosch, it was when the house on the vacant lot beside our property was fully erected (Craigmore Cres.). I was at the end of my driveway and he approached me. I remember saying: “Wow, that is big house you are building there.” And his response was: “yes, well, it is going to be used for more than one family.” This was a bit disconcerting because it made me think that it was going to be a large scale rental unit, instead of a family home. But I kept an open mind about it.

The next time I conversed with him was a few months later when he asked me if I would be interested in selling the back piece of our property. He said something like: “If you sell it to us, we’ll clean it up for you.” I was suspicious mostly because I assumed he was going to build on it. So I responded with: “Why would you want to buy it? It is a useless piece of land because you can’t build on it.” His response to what I said was something like this: “Well my wife is a planner and we can get a permit to build on it.” I was very confused by this, because I was almost convinced that was impossible to build on. I believed this because we were not permitted to build on the front of our property at the time when we bought it. This is because entrance of grey rd. 19 is not permitted, and it had to have frontage on Craigmore.

I actually went and confirmed this with the town after Mr. Doornbosch approached me about buying the back of our lot. I found out that not only is it not serviceable, but they also told me that we wouldn’t be granted an entrance. And therefore our lot could not be severed. This is what the planning department told me, so this left me thinking, “What was he talking about? If I couldn’t get severance, how is it that he could?” And that is when I remembered that he said he knew people that worked in planning and development.

Personally I am very concerned about this development. It does not fit with the neighbourhood and it breaks current zoning bylaws, which are there for a reason. There is no support for this new change in the neighbourhood from what I understand, and I think it is a mistake to breed such resentment in a community where people have been building according to the current bylaws for a long time. For example, many of the single family dwellings in our neighbourhood are rentals, and it hasn’t been a problem unit because these units attract families and couples as renters. A complex like this one will change the dynamics of the neighbourhood, and could cause unpredictable problems. For example Blue Mountain requires full time security to monitor this type of rental complex. We would have to rely on local police and that could be a serious problem.

Anyways, this is some of my personal experience and opinion based on this issue. Thanks so much for taking the time to read my email.

[Signature]