

Thornbury Residents

OCTOBER 09, 2018

Agenda

- Summary
- The Guiding Principles
- The Community Structure/Urban Community Character (A3.4.2)
- Land Use Regulations (B2.13, B3.1.4, B3.1.5.1, B3.1.5.2)

Summary

- My goal is to represent the neighbourhood (contacts outlined) and provide information that is relevant to the Town of the Blue Mountains Official Plan that has not been satisfied in the proposal or rezoning By-Law.
- We do not oppose development, rather we want to ensure that this development satisfies Thornbury's unique character and the Town of the Blue Mountains Official Plan (part A and land use of part B) and community vision.
- Neighbourhood Concerns :
 - Height
 - Density
 - Set Backs
 - Character
 - Safety
 - Transparency with Town Staff and Development Information
- Respectfully, we request that Council review these sections presented today because important information was not addressed to our satisfaction.
- We request that Council not enact the zoning by-law Amendment to rezone the lands at Part of Park Lot 10, West Side of Louisa Street (Town Plot of Thornbury) from Development (D) to Residential Multiple Exception (RM1-56) to permit the development of 23 Townhouses.

The Guiding Principals- Town of The Blue

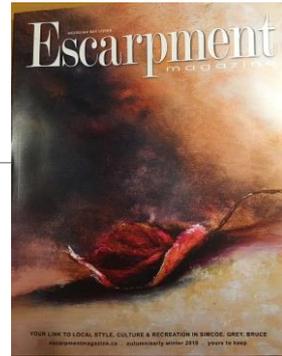
Mountains Official Plan
June 2016

- Section A1.1 the guiding principles for the Official Town Plan. Guiding Principles are all encompassing and not listed in any order of importance and therefore, are intended to be read together.
- bullet 5 reads- To ensure that the character of existing and well-established residential neighbourhoods is maintained and enhanced by ensuring that development and redevelopment is compatible, in terms of built form and street pattern, with the character of adjacent buildings and neighbourhoods and the scale and density of existing development.
- bullet 12 reads- To ensure that the construction of all infrastructure, or expansions to existing infrastructure, occurs in a manner that is compatible with adjacent land uses and with a minimum of social and environmental impact.

The Community Structure Plan for Thornbury Clarksburg/ Urban Community Character

- Thornbury/Clarksburg Settlement Area - the main concentration of urban activities including commercial, residential, cultural and government functions in a well-designed land use form. It is intended that the settlement area will continue to function as a place of symbolic and physical interest for residents and visitors. A range of housing types is supported but all new development should respect the character of the community and established neighbourhoods while making efficient use of infrastructure.
- A3.4.2 Urban Community Character
- Maintain and enhance the character and stability of existing and well-established residential neighbourhoods by ensuring that development and redevelopment is compatible with the scale and density of existing development.
- The zoning application includes height and density plan that contradicts these guidelines.

Land Use Regulations



- Land Use Regulations B2.13
- **Development shall not be permitted at the maximum height provided under this Plan unless Council is satisfied that the proposed buildings or structures are compatible with nature and character of the surrounding area.**
- It is our request that Council review this request in more detail and or not include the proposed structures as part of the zoning by-law related to this property.
- The three story 11 metre structure is at the maximum allowable height which is not at a similar height of neighbouring properties. Section B2.13 Apple Ridge etc.
- The requested height by the developer will include a fourth storey terrace that will include living space above the 11 metre maximum.
- With this property at the maximum allowable height with a fourth storey terrace and at the crest of a hill its for these reasons that we request council stays within the Official Town Plan with regards to neighbouring low rise two storey structures and maintain low height density.
- We have received communication from the Towns Planning Department (Denise Whaley) that has confirmed with Building Services that the developers rendering consisting a terrace on top of third storey of the Townhomes will not comply with the requested zoning. Yet the developer is confident and advertising this three storey with a fourth story terrace rendering in a local magazine (Escarpment Magazine).

The advertisement is for 'Towns of Thornbury'. The top half shows a rendering of a modern terrace with a sofa and coffee table, overlooking a green landscape. The text 'TOWNS OF THORNBURY' is prominently displayed. Below this, a dark blue box contains the text 'EXPERIENCE FOUR SEASONS LIVING'. To the right, a white box contains the text: 'A collection of contemporary three-storey terraced townhomes situated in the coveted community of Thornbury, in the heart of The Blue Mountains.' The bottom half of the ad shows a rendering of a multi-story townhome building with stone and wood accents. At the very bottom, there is a white box with contact information for real estate agents in Blue Mountains and Toronto, and the website 'TOWNSOFTHORNBURY.COM'.

Land Use Regulations

- Section B3.1.1 purpose is to: maintain the unique small town feel and character of Thornbury-Clarksburg; maintain compatibility and where necessary, enhance the character and identity of existing residential areas; promote the efficient use of existing and planned infrastructure by **creating the opportunity for residential intensification, where appropriate; and, maintain the community's low (height) profile and low density feel.**
- Section B3.1.4 Location: refers to 25-40 units per hectare for townhouses and a maximum height of three stories. There is no planned buffer zone for the new proposed development to transition from unit type into consideration. It does not transitioning from low rise residential to semi detached & duplex of 15-35 unit density and 2.5 storeys it jumps directly up to 3 storey and maximum density.
- **New greenfield should be developed at 20 units net per Hectare in accordance with the direction of the County of Grey Official Plan.**
- It is recognized that in some areas maximum density may not be appropriate. Lower density may be reviewed to meet the provisions of Section B3.1.5.3.

B3.1.4

Density and Height

The following table outlines permitted density ranges and maximum heights for permitted residential dwellings.

Dwelling Type	Density Range (units / gross hectare)	Maximum Height (storeys)
Single detached	10 – 25	2.5
Semi-detached & duplex	15 – 35	2.5
Townhouse	25 – 40	3
Multiple & apartment	40 – 60	3

Notwithstanding the above, new Greenfield areas should be developed at a minimum density of 20 units per net hectare in accordance with the direction of the County of Grey Official Plan.

It is recognized that in some areas maximum density may not be appropriate. Lower density may be reviewed to meet the provisions of Section B3.1.5.3.

Land Use Regulations

- Section B3.1.5 is relevant to Infill, Intensification and Greenfield Development.
- Looking at infill development B3.1.5.2 C) proposed building height reflects the pattern of heights of adjacent housing and shall not exceed two story's;
- This is relevant to the proposed development as it is infill and limiting to two story's.

Land Use Regulations

- Section B3.1.5.3 refers to topography and the impact of adjacent land uses, potential shadow effects with 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.
- This was not brought to your attention in the proposal B) was missing, H), I), M) and O).
- **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;**
- 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;
- 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;
- 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; and,
- **The Town may consider the pre-zoning of certain lands to permit medium and high density residential uses, as appropriate. In cases where lands are pre-zoned, the lands shall be subject to a Holding provision, with such a provision not being lifted until Council is satisfied that the above conditions have been satisfied.**

Land Use Regulations

- Section B3.1.5.3 respects the character of adjacent residential neighbourhoods (**not three story row townhouses they are not more than two story's high and in blocks of four or smaller**), in terms of height, bulk and massing; building height(s) reflect the pattern of heights of adjacent housing; is designed in consideration of lot coverages of adjacent housing; considered the predominant or average front yard setback for adjacent housing to preserve the streetscape edge, and character; provides for similar side yard setbacks to preserve the spaciousness on the street;
- 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; **will not cause or create traffic hazards or an unacceptable level of congestion on surrounding roads**; is located on a site that has adequate land area to incorporate required parking, **recreational facilities**, landscaping and buffering on-site; 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;

Request of Council

- Confirm that a three storey structure with Terrace is not permitted within this zoning application.
- It is our opinion that the Town of the Blue Mountains Official Plan and proposed zoning by-laws requires further review by council, ourselves and neighbours. With relation to the height is Council satisfied with max height transition from low rise to high rise. Nowhere do we transfer from residential to downtown commercial at max height and max density. We want the development not to exceed 2/3rds max height of 11 meters.
- Density- New greenfield should be developed at 20 units net per Hectare in accordance with the direction of the County of Grey Official Plan. As well as maintaining the community's low (height) profile and low density feel in accordance with the Town of Blue Mountains Official Plan.
- We want council to uphold the current By-Law No. 10-77 Front yard 7.5m, side yard 4.5m, Side yard abutting a public street 7.5m and rear yard 10m (Side yard needs to satisfy **B3.1.5.3 b) 45 degree angle SHADOWING**). Therefore we feel any zoning approvals need to represent the current approved guidelines and should not allow for changes to setbacks.
- We would also ask that Council consider the September 17 letter from Randy Sherzer of Grey County who recommended that Council give thorough consideration to our concerns and others raised by residents. Specifically, we request that Council defer taking a decision on this matter until we have all had adequate time to consider all of the issues raised by this deposition.
- If you decide to approve this rezoning and the 23 townhouses, we reserve the right to appeal that decision to the LPAT on the grounds that full consideration was not given to the totality of the Official Plan.
- We request all attached email addresses to be included on all future communication with Town and the Developer providing complete transparency.

Authoring Residents of Deposition

- We are formally requesting to be included in all future communication regarding this project and development.
- Michael Richter & Janet Reekie [REDACTED] Thornbury, Ontario.
[REDACTED]
- Kris Decoste & Tanya McIntosh [REDACTED] Thornbury, Ontario. [REDACTED]
[REDACTED]
- Luke Sauder & Melissa Hutton [REDACTED] Thornbury, Ontario.
[REDACTED]
- Robert Mitchell & Marsha Mitchell [REDACTED] Thornbury, Ontario.
[REDACTED]
- Cameron Kennedy & Joanna Kennedy [REDACTED] Thornbury. [REDACTED].
- Frank Reid & Colleen Reid [REDACTED] Thornbury, Ontario. [REDACTED].

Supporting Information

Land Use Regulations

- Land Use Regulations B2.13
- It is the intent of the Plan that high rise buildings shall not be considered conducive to the general amenity and character of development within the Town. The maximum height of all buildings and structures in the municipality shall generally be eleven (11) metres, except for those structures which by their nature, such as barns, silos, antennae, water towers, wind generators, drive-in theatre screens and bridges, require a greater height.
- Residential, commercial and industrial buildings shall generally be restricted to a maximum height of eleven (11) metres and/or three (3) storeys.
- It is intended that a variety of building heights be encouraged in order to improve the visual effect, variety and community identity within various parts of the Town. The height limitations specified under the Plan shall be considered maximum provisions, however, the implementing Zoning By-law may provide for a range of lower height restrictions to establish the desired diversity for various zoning categories based on the intended principle of development for neighbourhoods, commercial districts and industrial areas. **Development shall not be permitted at the maximum height provided under this Plan unless Council is satisfied that the proposed buildings or structures are compatible with nature and character of the surrounding area.**
- Specific height provisions for the Blue Mountain Village Resort Area Core are described under Section B3.10.6 and shall generally be restricted to a maximum height of sixteen (16) metres and/or five (5) storeys.

The Guiding Principals- Town of The Blue

Mountains Official Plan
June 2016

A1.1 GUIDING PRINCIPLES

To implement the vision of the Town, Guiding Principles have been developed that are forward thinking and speak to the type of healthy and complete community the Town of The Blue Mountains is and wishes to be. These principles were relied upon in preparing this Official Plan. It is important to note that these Guiding Principles are all encompassing and not listed in any order of importance and therefore, are intended to be read together.

1. To recognize that the Town is made up of a number of desirable, safe and vibrant neighbourhoods that all combine to make this four seasons recreational resort community a desirable place to live, establish roots, learn, visit and create diverse economic opportunities.
2. To ensure that the land use planning decisions made in the Town provide the basis for managing growth that will support and emphasize the Town's unique *character*, diversity, civic identity, recreational based/rural lifestyle, tourism destinations, natural heritage and cultural heritage and to do so in a way that has the greatest positive impact on the health of our community and the quality of life enjoyed by residents and business owners alike.
3. To invest in, program and optimally maintain a diverse and interconnected system of public spaces that feature convenient, and comfortable access, encourage safe and healthy environments, minimize hazards, are culturally appropriate and attract and serve all components of the population.
4. To provide the opportunity to create compact neighbourhoods with a range of services that includes necessary amenities and transportation options and affords equitable access to the ingredients of what makes for economically and socially viable neighbourhoods.
5. To ensure that the *character* of existing and well-established residential neighbourhoods is maintained and *enhanced* by ensuring that *development and redevelopment is compatible*, in terms of built form and street pattern, with the *character* of

adjacent buildings and neighbourhoods and the scale and density of existing development.

6. To protect *natural heritage features and areas* and their associated *ecological functions* so that they can be enjoyed by current and future generations, and serve as a legacy of the community's desire to protect their role and function.
7. To encourage the provision of a wide range of publicly accessible recreational opportunities to meet the needs of present and future residents.
8. To ensure that housing is available to all ages, abilities, incomes, and household sizes and be located near public transportation where possible, jobs, and essential goods and services.
9. To support the protection and growth of industry and tourism-recreation sectors, and the transition of existing industry sectors, toward practices, products and services that increase their overall viability by establishing a competitive business environment that is able to easily adapt to changing circumstances and priorities.
10. To encourage the continued revitalization of the Thornbury and Clarksburg Downtowns, which reflects their heritage significance and promotes a mix of uses and attractions for community activities that reinforce the function of the two Downtown areas as cultural, administrative, entertainment, retail and social focal points of the community.
11. To establish an integrated transportation system that safely and efficiently accommodates various modes of transportation including walking, cycling, automobiles and trucks.
12. To ensure that the construction of all infrastructure, or expansions to existing infrastructure, occurs in a manner that is compatible with adjacent land uses and with a minimum of social and environmental impact.
13. To require that local decision-making processes are transparent and evident to the public through the provision of information, participatory tools, education, and an open process.
14. To protect agricultural and rural areas, including specialty crops, and to encourage the establishment of a broad range of *agricultural uses*, agriculture related uses and *on-farm diversified uses* to ensure that the agricultural industry can continue to thrive and innovate.

Land Use Regulations

■ B3.1.1 Objectives

■ It is the intent of this Plan to:

- maintain the unique small town feel and character of Thornbury-Clarksburg;
- maintain compatibility and where necessary, enhance the character and identity of existing residential areas;
- encourage the provision of a full range of housing opportunities to meet the Town's housing needs;
- promote the efficient use of existing and planned infrastructure by creating the opportunity for residential intensification, where appropriate; and,
- maintain the community's low (height) profile and low density feel.

Land Use Regulations

- B3.1.2 Location

- The Community Living Area designation applies to lands in the Thornbury-Clarksburg settlement area, on full municipal sewer and water services, and lands in Clarksburg proposed to be serviced by full municipal sewer and water services.

- B3.1.3 Permitted Uses

- Permitted uses on lands designated Community Living Area include:

- a) single detached dwellings;
- b) semi-detached dwellings;
- c) duplex dwellings;
- **d) townhouse, multiple and apartment dwellings subject to Section B3.1.5;**
- e) accessory apartments in single detached, semi-detached and townhouse dwellings subject to Section B2.7;
- f) home occupations subject to Section B2.10;
- g) bed and breakfast establishments in single detached dwellings, subject to Section B2.5.1;

Land Use Regulations

- h) parkettes and neighbourhood parks;
- i) day nurseries and institutional uses subject to Section B.3.1.7;
- j) special needs housing subject to Section B3.1.6;
- k) private home daycare; and,
- l) other similar uses.
- Notwithstanding the permitted uses listed in this section, residential development in areas without full municipal services shall be limited to single detached dwellings on existing lots.

B3.1.4

Density and Height

The following table outlines permitted density ranges and maximum heights for permitted residential dwellings.

Dwelling Type	Density Range (units / gross hectare)	Maximum Height (storeys)
Single detached	10 – 25	2.5
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Notwithstanding the above, new Greenfield areas should be developed at a minimum density of 20 units per net hectare in accordance with the direction of the County of Grey Official Plan.

It is recognized that in some areas maximum density may not be appropriate. Lower density may be reviewed to meet the provisions of Section B3.1.5.3.

Land Use Regulations

B3.1.5.3 Intensification and Greenfield Development

In considering Planning Act application(s) to permit intensification and Greenfield development, Council shall be satisfied that the proposal:

- a) where appropriate, considers the role of topography and natural vegetation in minimizing the impacts of taller buildings on adjacent land uses;
- 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;
- c) respects the character of adjacent residential neighbourhoods, in terms of height, bulk and massing;
- d) building height(s) reflect the pattern of heights of adjacent housing;
- e) is designed in consideration of lot coverages of adjacent housing;
- f) considered the predominant or average front yard setback for adjacent housing to preserve the streetscape edge, and character;
- g) provides for similar side yard setbacks to preserve the spaciousness on the street;
- 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;
- 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;
- 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
- k) will not cause or create traffic hazards or an unacceptable level of congestion on surrounding roads;
- l) is located on a site that has adequate land area to incorporate required parking, recreational facilities, landscaping and buffering on-site;
- 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;
- n) will have minimal impacts on adjacent properties in relation to grading, drainage, access and circulation, and privacy;
- 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; and,
- p) If large in scale, will not obstruct views of Georgian Bay along streets that terminate at or close to the water's edge.

The Town may consider the pre-zoning of certain lands to permit medium and high density residential uses, as appropriate. In cases where lands are pre-zoned, the lands shall be subject to a Holding provision, with such a provision not being lifted until Council is satisfied that the above conditions have been satisfied.