



Staff Report

Planning & Development Services – Planning Division

Report To: COW-Operations_Planning_and_Development_Services
Meeting Date: July 2, 2024
Report Number: PDS.24.096
Title: Follow up and Recommendation Report – Follow up to the public meeting for Development 'D' Zones Zoning By-Law Amendment
Prepared by: Carter Triana, Intermediate Planner

A. Recommendations

THAT Council receive Staff Report PDS.24.096, entitled "Follow up and Recommendation Report – Follow up to the public meeting for Development 'D' Zones Zoning By-Law Amendment;

AND THAT Council enact a By-law to amend the text of Zoning By-law 2018-65 to modify the provisions of the Development 'D' zone, in accordance with Attachment 1 to Staff Report PDS.24.096.

B. Overview

The primary issues identified through review of the current Development 'D' zone provisions are 1) the confusion associated with necessary reference to the former Town of Thornbury and Township of Collingwood Zoning By-laws and 2) the impact of relatively uncontrolled development on land with high potential for development to accommodate future growth.

Several options are presented in this report for consideration:

1. Enact a By-law in accordance with Attachment 1, as recommended in [PDS.24.16](#) and in this report.
2. Enact a By-law in accordance with Attachment 2, which would permit single detached dwellings on D-zoned properties, in accordance with the outlined standards.
3. Not enact a By-law and direct Staff to prepare a By-law Amendment that will translate the provisions of the former Town of Thornbury and Township of Collingwood Zoning By-laws into the current Zoning By-law 2018-65.

Planning Staff continue to recommend Option 1, which will provide the greatest control of future development land while still allowing property owners to either build as-of-right within certain standards or to seek approval from the Town for development outside of those standards. This option represents good long-term planning to accommodate growth in the Town's identified

settlement areas and is anticipated to resolve both issues outlined above. This option also allows for the development of site-specific zoning standards based on the context and shape of a lot.

Option 2 provides an opportunity for property owners to build a single detached dwelling on a D-zoned lot while also limiting the scale and location of development. This option would establish a maximum footprint of 200 square metres for main buildings and require 50% of the walls of these buildings to be located within 9 metres of the front lot line and within 5 metres of either the interior or exterior side lot line. This option provides property owners with as-of-right permissions to construct a home within certain standards. Proposed development outside of those standards would require approvals from either the Committee of Adjustment or Council. Planning Staff note that this option would help resolve the confusion issue identified above and would help to maintain the development potential of D-zoned lots, however it is also noted that these blanket provisions do not consider development on a site-by-site basis, as Option 1 would allow.

Planning Staff do not recommend Option 3, which would maintain the status quo and would not solve either of the issues identified above.

The recommended motion references Attachment 1, which is identical to the draft by-law presented in [PDS.24.016](#). Should Council wish to proceed with Option 2, the recommended motion can be modified by replacing “Attachment 1” with “Attachment 2”.

C. Background

[PDS.24.016](#) was presented at the Committee of the Whole meeting on June 11, 2024, following which, Council provided direction to Staff to explore and present alternative options for the subject amendment. It is noted that this direction will not be confirmed until the June 24, 2024, Council meeting, which will likely be after this report is released, however, the intention and direction from Council to Staff was clear and Staff felt comfortable bringing this report forward in advance. The purpose of this expedited approach is based on the issues identified throughout this project and Council’s upcoming summer recess.

D. Analysis

The bulk of the analysis provided in [PDS.24.016](#) remains relevant. Each option outlined by Planning Staff is discussed below, including any proposed modifications and Planning Staff commentary. Figure 1(a-e) shows the example properties provided in [PDS.24.016](#) and their approximate size in hectares for reference.



Figure 1a (1 ha each)



Figure 1b (1.1 ha)



Figure 1c (6.3 ha)



Figure 1d (4.1 ha)



Figure 1e (1.8 ha)

Figure 1 (a-e). Satellite Images of D-Zoned Lots that Have Undergone Low-Density Development and Approximate Lot Size

Option 1

It is noted that Planning Staff continue to recommend Option 1 as the most effective way to manage growth and development in the Town, while also providing a pathway for property owners to obtain approvals for development on single detached dwellings on their properties.

Option 2

Through Option 2, the minimum zone standards for the D zone are proposed to mirror those of the R1-1 zone, except for the minimum lot area and lot frontage standards, which are proposed to be as existing. In effect, maintaining the lot area and frontage of existing D-zoned lots would require that the property be rezoned if it is proposed to be severed. This would ensure that the most appropriate zoning for proposed lots would be used. The proposed zone standards are shown in Table 1 below.

Table 1. Proposed D Zone Standards

Zone Standard	D
Maximum lot area (m²)	As existing
Maximum lot coverage	30%
Minimum lot frontage (m)	As existing
Minimum front yard (m)	7.5
Minimum exterior side yard (m)	5.0
Minimum interior side yard (m)	2.0
Minimum rear yard (m)	9.0
Maximum height (m)	9.5
Maximum height (storeys)	2.5

In addition to the minimum standards outlined above, Staff have proposed special provisions outlining maximum setback standards which would require:

- That 50% of the main building wall opposite the front lot line be located no further than 9 metres from the front lot line AND
- That 50% of the main building wall facing one side lot line (exterior or interior), be located no further than 5 metres from that interior or exterior side lot line.

Similar special provisions are used for commercial zones within downtown Thornbury to achieve a desired streetscape with buildings located within a certain distance of front lot lines. In effect, these provisions would limit as-of-right development of a single detached dwelling to a certain portion of the property located close to the front and side lot lines, while still requiring appropriate setbacks from the road and adjacent properties.

Staff have also proposed that new main building single detached dwellings be limited to a maximum footprint of 200 square metres (~2,153 square feet). This provides substantial flexibility for the construction of new single detached dwellings of over 5000 sq ft over 2.5 storeys, but also limits the footprint of these dwellings to preserve land that may be suitable for future development. The size of buildings is generally limited through lot coverage standards to maintain open space, however these standards may not be effective on large lots, like many D-zoned lots. It is also noted that lot coverage standards are not applicable to some D-zoned lots under the former Zoning By-laws. For example, a 5-acre lot (~20,234 square metres, 217,800 square feet) subject only to the 30% lot coverage provision outlined above would permit the construction of a building with a footprint of over 6,000 square metres (~65,000 square feet).

Although it is likely that a property owner will not build a home with this large of a footprint, the ability to do so would be possible. The larger the footprint of a building, the more of an impact it may have on the future development potential of the lot. The approximate footprint of the single detached dwellings of the example properties provided above is outlined in Table 2.

Table 2. Approximate Footprint of Single Detached Dwellings on Example Lots

	Approximate Footprint (sq. m.)
Figure 1a (left)	180
Figure 1b (right)	327
Figure 1b	298
Figure 1c	300
Figure 1d	610
Figure 1e	220
AVERAGE	322

All other provisions previously proposed in [PDS.24.16](#) are recommended to be maintained, including that accessory buildings and structures are required to be located no further than 6 metres of the main building and are limited to a maximum total footprint of 100 square metres. Permissions for the expansion of existing buildings have also been retained, allowing for existing buildings to be expanded up to 10% of their footprint.

As an example of the effects of the provisions outlined above, Figure 2 provides potential building envelopes on the left property in Figure 1a, 81 Baring Street. It is noted that this image is meant to be an example and does not reflect the actual potential building footprints on this lot nor does it reflect the potential building footprints on other D-zoned lots. Based on Figure 2, it would appear that the proposed provisions would significantly limit the potential for the construction of a single detached dwelling on this lot, however it is important to note that this lot is approximately 1 hectare in size, or 2.5 acres. It is also important to note that this lot is located within an established settlement area, where growth is meant to be directed. Finally, the existing dwelling on this lot has a footprint of approximately 180 square metres, which would meet the proposed provisions, provided it was located on a portion of the property closer to the front and side lot lines.



Figure 2. 81 Baring Street Potential Building Envelopes

To provide additional context to the example outlined in Figure 2, Figure 3 overlays the lot size of 81 Baring Street on existing lots at the corner of Napier Street West and Orchard Drive and includes a 200 square metre building envelope for reference. As is evident in this image, the proposed 200 square metre maximum building footprint would allow for the construction of single detached dwellings that are similar in size to existing dwellings within Thornbury. It is also noted that the same area of the lot at 81 Baring Street accommodates approximately 8 dwellings in an urbanized area of Thornbury, with some existing lots having larger backyards than are generally required under zoning. As such, it is possible that additional density beyond 8 units could be accommodated on land of this size.



Figure 3. Lot Size of 81 Baring Street Overlaid on Existing Lots at the Corner of Napier Street West and Orchard Drive

Option 3

Option 3 would generally maintain the status quo, but would incorporate the permissions and provisions of the former Township of Collingwood and Town of Thornbury Zoning By-laws into the current Zoning By-law. This option would allow development to continue as has been seen over the past several years and may take substantial additional Staff review to incorporate the 32 zones of the former By-laws into the current Zoning By-law. Potential land for future development may continue to be used for low-density single detached dwellings, compromising the orderly and efficient growth of the Town within its established settlement areas. It remains to be seen how zones and their associated permissions and standards established in 1977 and 1983 could be translated into the current Zoning By-law. Planning Staff do not recommend proceeding with Option 3 and as such, a draft By-law to accomplish this option has not yet been prepared.

Incentives

Incentives may function as intended if individuals generally have an intention to do what is being incentivized. For example, if an individual purchased a D-zoned property with the intention of building a single detached dwelling on the property, an incentive to develop the land in a more efficient manner may not persuade the individual to pursue another type of development instead. Beyond educating the public about the importance of preserving urban land for future growth, property owners are free to do what they wish with their property, within the guidelines of relevant By-laws.

Pre-zoning presents an opportunity to incentivize development on certain parcels of land, or portions of those parcels. Pre-zoning allows the Town to establish certain criteria to dictate the type of development that would be permitted on these lands. This may be accompanied by a holding provision to ensure that necessary reports and studies are completed prior to development occurring or the Town can complete required reports to pave the way for development as-of-right. This reduces the overall cost of development as the typical planning process can be shortened or eliminated, subject to specific criteria and standards outlined by the Town through zoning.

Pre-zoning can be an effective way to incentivize development, but also requires substantial work upfront as what may be appropriate for one property may not be appropriate for another one. Pre-zoning is being considered as part of the Official Plan 5-year review and may be incorporated into the comprehensive update to the Zoning By-law anticipated in 2025. Planning Staff would not recommend starting a pre-zoning review exercise until such time as the Official Plan Review is completed, otherwise further changes to pre-zoned properties may need to occur. In addition, this work necessitates review of relevant properties on a case-by-case basis and, depending on the scope of the project, may require consideration through the budget process as a significant amount of Staff time would be anticipated.

E. Strategic Priorities

1. Communication and Engagement

We will enhance communications and engagement between Town Staff, Town residents and stakeholders.

2. Organizational Excellence

We will continually seek out ways to improve the internal organization of Town Staff and the management of Town assets.

3. Community

We will protect and enhance the community feel and the character of the Town, while ensuring the responsible use of resources and restoration of nature.

4. Quality of Life

We will foster a high quality of life for full-time and part-time residents of all ages and stages, while welcoming visitors.

F. Environmental Impacts

No adverse environmental impacts are anticipated as a result of the recommendations contained within this report. Approvals outside of the established standards would allow for additional review of natural heritage features on a site to ensure that the proposed location of the dwelling would have minimal impact on those features.

G. Financial Impacts

The proposed amendments seek to avoid unnecessary financial burden on the Town and residents caused by disorderly development, particularly in consideration of necessary extensions of existing infrastructure to facilitate future development.

Owners of D-zoned land may be required to apply for a Zoning By-law Amendment or seek permission from the Committee of Adjustment to facilitate development on their lot. The current fees for these types of applications are \$4,690 and \$1,970, respectively, as per [By-law 2022-14](#).

No adverse financial impacts to the Town are anticipated as a result of the recommendations contained within this report.

H. In Consultation With

Relevant Town Departments and External Agencies

I. Public Engagement

The topic of this Staff Report has been the subject of a Public Meeting which took place on **May 14, 2024**. Those who provided comments at the Public Meeting, including anyone who has asked to receive notice regarding this matter, has been provided notice of this Staff Report. Any comments regarding this report should be submitted to Carter Triana, planning@thebluemountains.ca

J. Attached

1. Draft Zoning By-law Amendment – Option 1
2. Draft Zoning By-law Amendment – Option 2

Respectfully submitted,

Carter Triana
Intermediate Planner

For more information, please contact:
Carter Triana, Intermediate Planner
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Report Approval Details

Document Title:	PDS.24.096 Follow up and Recommendation Report - Follow up to the Public Meeting for Development D Zones ZBA.docx
Attachments:	- PDS-24-096-Attachment-1.pdf - PDS-24-096-Attachment-2.pdf
Final Approval Date:	Jun 20, 2024

This report and all of its attachments were approved and signed as outlined below:

Shawn Postma - Jun 20, 2024 - 3:59 PM

Adam Smith - Jun 20, 2024 - 9:39 PM

The Corporation of the Town of The Blue Mountains

By-Law Number 2024 –

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 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. **That** the text of the By-law is hereby amended by deleting Section 1.5(g).
2. **That** the text of the By-law is hereby amended by adding Section 1.5(h) with the following text:

The provisions of the former Township of Collingwood Zoning By-law 83-40 and all amendments and variances thereto shall continue to apply to Collingwood Concession 2 Part Lot 19 RP 16R2119 Part of Part 2 (ARN: 424200000330901)

3. **That** the text of the By-law is hereby amended by adding Section 1.5(i) with the following text:

The provisions of the former Township of Collingwood Zoning By-law 83-40 and all amendments and variances thereto shall continue to apply to Concession 4 Part Lot 25 RP 16R1936 Part 1 (ARN: 424200000633100)

4. **That** the text of the By-law is hereby amended by adding the D zone to the list of zones outlined in Section 4.3(d).

5. **That** the text of the By-law is hereby amended by adding Section 4.3(l) with the following text:

In addition to the applicable provisions above, for the D Zone, all *accessory buildings and structures* shall be located within 6 metres of the *main building* and their combined footprint shall not exceed 100 square metres.

6. **That** PART 8.0 AGRICULTURAL, RURAL, RECREATIONAL AND OTHER ZONES is hereby amended by deleting the text of Special Provision 7 and deleting Special Provision 7 from Table 8.1.

7. **That** PART 8.0 AGRICULTURAL, RURAL, RECREATIONAL AND OTHER ZONES is hereby amended by adding the following permitted use to Table 8.1:

Permitted Use	D
<i>Additional Residential Unit</i>	X

8. **That** PART 8.0 AGRICULTURAL, RURAL, RECREATIONAL AND OTHER ZONES is hereby amended by deleting the text of Special Provision 1 of Table 8.2 in its entirety and replacing with the following:

(1) As existing as of July 15, 2024.

9. **That** PART 8.0 AGRICULTURAL, RURAL, RECREATIONAL AND OTHER ZONES is hereby amended by adding Special Provision 4 to Table 8.2 as follows:

Zone Standard	D
Minimum <i>front yard</i> (m)	(1)(4)
Minimum <i>exterior side yard</i> (m)	(1)(4)
Minimum <i>interior side yard</i> (m)	(1)(4)
Minimum <i>rear yard</i> (m)	(1)(4)

Special Provisions:

- (4) A *single detached dwelling* is permitted to be expanded where the footprint of the expansion is no greater than 10% that of the *single detached dwelling* as existing on June 25, 2024, and provided the expansion complies with the standards of the R1-1 zone.

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

Enacted and passed this 15th day of July, 2024

Andrea Matrosovs, Mayor

Corrina Giles, Clerk

I hereby certify that the foregoing is a true copy of By-law No. 2024-___ as enacted by the Council of The Corporation of the Town of The Blue Mountains on the 15th day of July, 2024.

Dated at the Town of The Blue Mountains, this ___th day of _____, 2024.

Corrina Giles, Clerk

The Corporation of the Town of The Blue Mountains

By-Law Number 2024 –

Being a By-law to amend Zoning By-law No. 2018-65 which may be cited as "The Blue Mountains Zoning By-law".

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6. **That** PART 8.0 AGRICULTURAL, RURAL, RECREATIONAL AND OTHER ZONES is hereby amended by deleting the text of Special Provision 7 and deleting Special Provision 7 from Table 8.1.

7. **That** PART 8.0 AGRICULTURAL, RURAL, RECREATIONAL AND OTHER ZONES is hereby amended by adding the following permitted uses to Table 8.1:

Permitted Use	D
<i>Single Detached Dwelling</i>	X
<i>Additional Residential Unit</i>	X

8. **That** PART 8.0 AGRICULTURAL, RURAL, RECREATIONAL AND OTHER ZONES is hereby amended by deleting the text of Special Provision 1 of Table 8.2 in its entirety and replacing with the following:

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