



Staff Report

Planning and Development Services – Planning Division

Report To: Committee of Adjustment
Meeting Date: August 21, 2024
Report Number: PDS.24.102
Subject: Recommendation Report – Consent Application B09-2024 – Alice Street (Elmes)
Prepared by: Carter Triana, Intermediate Planner
Shawn Postma, Manager of Community Planning

A. Recommendations

THAT the Director of Planning and Development Services has deemed Consent Application B09-2024 a Contested Application and advances the Application to the Committee of Adjustment for a decision.

AND THAT the Committee of Adjustment receives Staff Report PDS.24.102, entitled "Recommendation Report – Consent Application B09-2024 – Alice Street (Elmes);"

AND THAT the Committee of Adjustment GRANT provisional consent for application B09-2024, subject to the following conditions:

1. That the Applicant meets all the requirements of the Town, financial and otherwise, for the Certificate of Consent to be issued.
2. That the Applicant provide payment of cash-in-lieu of parkland dedication for the severed lot, or 5% of its appraised value, to the satisfaction of the Town of The Blue Mountains.
3. That the Applicant provide payment of applicable Development Charges for the severed lot, as required by the Town.
4. That the depth of the severed lot is confirmed to be located entirely within the R1-1 zone or that the depth of the severed lot be modified to ensure that it is located entirely within the R1-1 zone.
5. That the Applicant retain an engineer to provide an engineered Lot Development Plan to demonstrate that the existing Town water and sewer services can be extended to service the severed lot. The Lot Development Plan shall be submitted to the Town prior to final approval and registration of the Lot. A Municipal Land Use Agreement, or other Agreement as deemed appropriate by the Town, shall be entered into to facilitate all approved works. All costs associated with the installation of required services shall be the responsibility of the Applicant.
6. That the Applicant retain an engineer to provide detailed design drawings for the provision of appropriate access to the site, to the satisfaction of the Town. Any design shall provide for a

formalized pedestrian trail connection from Alice Street East to the Beaver River Trail. Any design shall also locate the entrance to the site from Alice Street East as far to the west as possible. A Municipal Land Use Agreement, or other Agreement as deemed appropriate by the Town, shall be entered into to facilitate all approved works. All costs associated with the installation of required works shall be the responsibility of the Applicant.

7. That the Applicant submit a Tree Inventory/Retention Plan and Planting Plan prepared by a qualified Registered Professional Forester or Registered Landscape Architect, informed by the requirements outlined in Conditions 5 and 6, to the satisfaction of the Town. Any trees over 10 centimetres in diameter at breast height shall be replaced at a 2:1 compensation ratio.
8. That the Applicant provide Phase 1 and Phase 2 Environmental Assessments, and that any recommendations from the Assessments be implemented, to the satisfaction of the Town.
9. That the Owner provides a description of the land and deposited reference plan, which can be registered in the Land Registry Office.
10. That all above conditions be fulfilled within two years of the Notice of Decision so that the Certificate of Consent pursuant to Section 53(42) of the Planning Act, can be issued by the Town.

B. Overview

The purpose of this report is to provide a summary of the subject application and the review undertaken by Planning Staff. Planning Staff recommend that provisional consent be granted, subject to the conditions outlined in Attachment 1.

C. Executive Summary

Application File #: B09-2024 (P3423)

Application Received Date: May 23, 2024

Application Deemed Complete Date: May 23, 2024

Official Plan Designation: Community Living Area

Zoning Bylaw Category: Residential One 'R1-1' and Development 'D'

STA Permissions: N

The Town received a re-submission of an application for consent to sever one new building lot from the subject lands. The application has the effect of creating a new residential lot with a frontage of approximately 19 metres on Alice Street East and an area of approximately 1,726.5 square metres. The retained parcel would have a frontage of approximately 50.5 metres on Louisa Street East and an area of approximately 7,672.7 square metres.

The previous application (B08-2022) was granted provisional consent by the Committee of Adjustment on May 18, 2022, and the decision was not subject to any appeals. The applicant was unable to fulfill all conditions imposed through the provisional consent within two years of the notice of the decision being issued, or by May 20, 2024, as outlined in the conditions. As such,

the decision has expired, and the applicant is required to submit a new consent application to permit the proposed severance.

As the policy framework applicable to the subject lands has not changed since the previous decision was issued, Planning Staff are of the opinion that the analysis provided in the previous recommendation report, PDS.22.0269, remains relevant and recommend granting provisional consent, subject to the conditions outlined in Attachment 1 to this report. A video recording of the discussion that occurred during the Committee of Adjustment meeting on May 18, 2022 can also be viewed using [this link](#), with discussion of the file beginning around the 1:16:05 mark.

It is noted that a number of comments were received from area residents in opposition to the proposed severance during the circulation of applications B08-2022 and B09-2024, with the primary concerns being:

- Loss of trees
- Impacts on the Beaver River Trail
- Extension of Alice Street East

Full comments from the previous circulation of application B08-2022 and from the circulation of the subject application (B09-2024) are included as Attachment 3.

D. Background

Please review PDS.22.069 for additional information.

E. Analysis

Brief commentary is provided below on several items, but PDS.22.069 can be reviewed for additional analysis.

The connectivity of the Beaver River Trail will not be impacted by this proposal. The trail is an established active transportation route and identified in the Town's Transportation Master Plan. As a condition of approval, a formalized connection from Alice Street East to the Beaver River Trail will be required. It is noted that the vegetation along the Beaver River Trail is not designated as a natural heritage feature under the current Town or County Official Plan policies and as such, an Environmental Impact Study is not required for the subject application.

Planning Staff recognize the importance of trees and their contributions to the environment, human health and community character. It is difficult to see trees being cut down, especially when they have been a part of the landscape for so long. As part of the planning review, we look at options to maintain existing trees where possible and identify where trees need to be removed and replaced through the Tree Inventory/Retention Plan and Planting Plan. We recognize that some trees do need to be removed as a necessary step for our community's growth and development. Staff balance the need to accommodate new growth while also maximizing the future development potential of urban land so that we can accommodate more growth on less land leading in less sprawl and more efficient growth. Staff also seek out

opportunities to enhance new or existing tree canopies with new plantings to ensure our environment remains green and vibrant over time. This process allows us to create spaces that can accommodate our growing needs while still honouring our commitment to the various plans and studies we have completed to protect and enhance the overall urban tree canopy.

As the proposed application was previously granted provisional consent, subject to certain conditions, the Applicant began working towards satisfying those conditions, including completing a Phase 1 Environmental Site Assessment. The result of the Phase 1 Assessment recommended the completion of a Phase 2 Environmental Site Assessment, and this requirement has been incorporated into the revised conditions.

It is noted that Alice Street East will need to be extended in order to provide access to the proposed lot. The road will need to be extended at least 5 metres beyond the proposed driveway entrance to the site. As such, an additional requirement has been added to the conditions to require that the entrance to the severed lot is located as far to the west of the lot as possible to limit potential impacts on existing vegetation and the Beaver River Trail.

The previous decision included a condition for the Applicant to prepare a Tree Inventory/Retention Plan to identify trees that could be retained, and which would need to be removed to facilitate the works required to complete the severance. This condition did not address compensation for the removal of trees within the municipal right of way. As such, additional language has been incorporated into this condition to require the preparation of a Planting Plan, with trees greater than 10 centimeters in diameter at breast height required to be replaced at a 2:1 ratio.

F. Strategic Priorities

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.

G. Environmental Impacts

The extension of Alice Street East will require the removal of trees and vegetation. Recommended conditions seek to mitigate the impacts of this removal by requiring compensation planting for certain trees identified through a Tree Inventory/Preservation Plan, in accordance with Section D. 8.2 of the Town's Official Plan.

H. Financial Impact

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

I. In consultation with

Relevant Town Departments, Agencies, and the general public.

J. Public Engagement

The topic of this Staff Report has not been subject to a Public Meeting and/or a Public Information Centre as neither a Public Meeting nor a Public Information Centre are required. Notice was circulated in accordance with the Planning Act for public comment. Comments regarding this report should be submitted to the Planning Department, planning@thebluemountains.ca

K. Attached

1. Draft Decision
2. PDS.22.069
3. Public Comments

Respectfully submitted,

Carter Triana
Intermediate Planner

Shawn Postma, MCIP RPP
Manager of Community Planning

For more information, please contact:
Carter Triana
planning@thebluemountains.ca
519-599-3131 extension 262



The Corporation of the Town of The Blue Mountains

Decision on Consent Application File No. B09-2024

Owners/Applicants: Elmes

Purpose / Effect: The purpose and effect of this application is to sever a portion of the lands in order to create a new residential lot.

Legal Description: Town Plot Lot 10 SW Louisa St NE Alice St RP 16R8525 Part 1

Severed Parcel: Frontage: 19.0 metres Depth: 52 metres (Irreg.) Area: 1726.5 sq metres

Retained Parcel: Frontage: 50.5 metres Depth: 152.9 metres Area: 7672.7 sq metres

Road Access: Alice Street East (to be extended)

Servicing: Municipal Sanitary and Water

Decision: **Grant Provisional Consent**

Date of Decision: **August 21, 2024**

In making the decision upon this application for Consent, the Committee of Adjustment of The Corporation of the Town of The Blue Mountains is satisfied that the proposed Consent Application is consistent with the Provincial Policy Statement, complies with the County of Grey Official Plan and the Town of The Blue Mountains Official Plan and represents good planning.

If provisional consent is given, then the following conditions must be met before the issuance of a Certificate of Official:

1. That the Applicant meets all the requirements of the Town, financial and otherwise, for the Certificate of Consent to be issued.
2. That the Applicant provide payment of cash-in-lieu of parkland dedication for the severed lot, or 5% of its appraised value, to the satisfaction of the Town of The Blue Mountains.
3. That the Applicant provide payment of applicable Development Charges for the severed lot, as required by the Town.
4. That the depth of the severed lot is confirmed to be located entirely within the R1-1 zone or that the depth of the severed lot be modified to ensure that it is located entirely within the R1-1 zone.
5. That the Applicant retain an engineer to provide an engineered Lot Development Plan to demonstrate that the existing Town water and sewer services can be extended to service the severed lot. The Lot Development Plan shall be submitted to the Town prior to final approval and registration of the Lot. A Municipal Land Use Agreement, or other Agreement as deemed appropriate by the Town, shall be entered into to facilitate all approved works. All costs associated with the installation of required services shall be the responsibility of the Applicant.
6. That the Applicant retain an engineer to provide detailed design drawings for the provision of appropriate access to the site, to the satisfaction of the Town. Any design shall provide for a formalized pedestrian trail connection from Alice Street East to the Beaver River Trail. Any design shall also locate the entrance to the site from Alice Street East as far to the west as possible. A Municipal Land Use Agreement, or other Agreement as deemed appropriate by the Town, shall be entered into to facilitate all approved works. All costs associated with the installation of required works shall be the responsibility of the Applicant.
7. That the Applicant submit a Tree Inventory/Retention Plan and Planting Plan prepared by a qualified Registered Professional Forester or Registered Landscape Architect, informed by the requirements outlined in Conditions 5 and 6, to the satisfaction of the Town. Any trees over 10 centimetres in diameter at breast height shall be replaced at a 2:1 compensation ratio.
8. That the Applicant provide Phase 1 and Phase 2 Environmental Assessments, and that any recommendations from the Assessments be implemented, to the satisfaction of the Town.
9. That the Owner provides a description of the land and deposited reference plan, which can be registered in the Land Registry Office.
10. That all above conditions be fulfilled within two years of the Notice of Decision so that the Certificate of Consent pursuant to Section 53(42) of the Planning Act, can be issued by the Town.

Robert B. Waing
Chairman

Jim Oliver
Vice Chairman

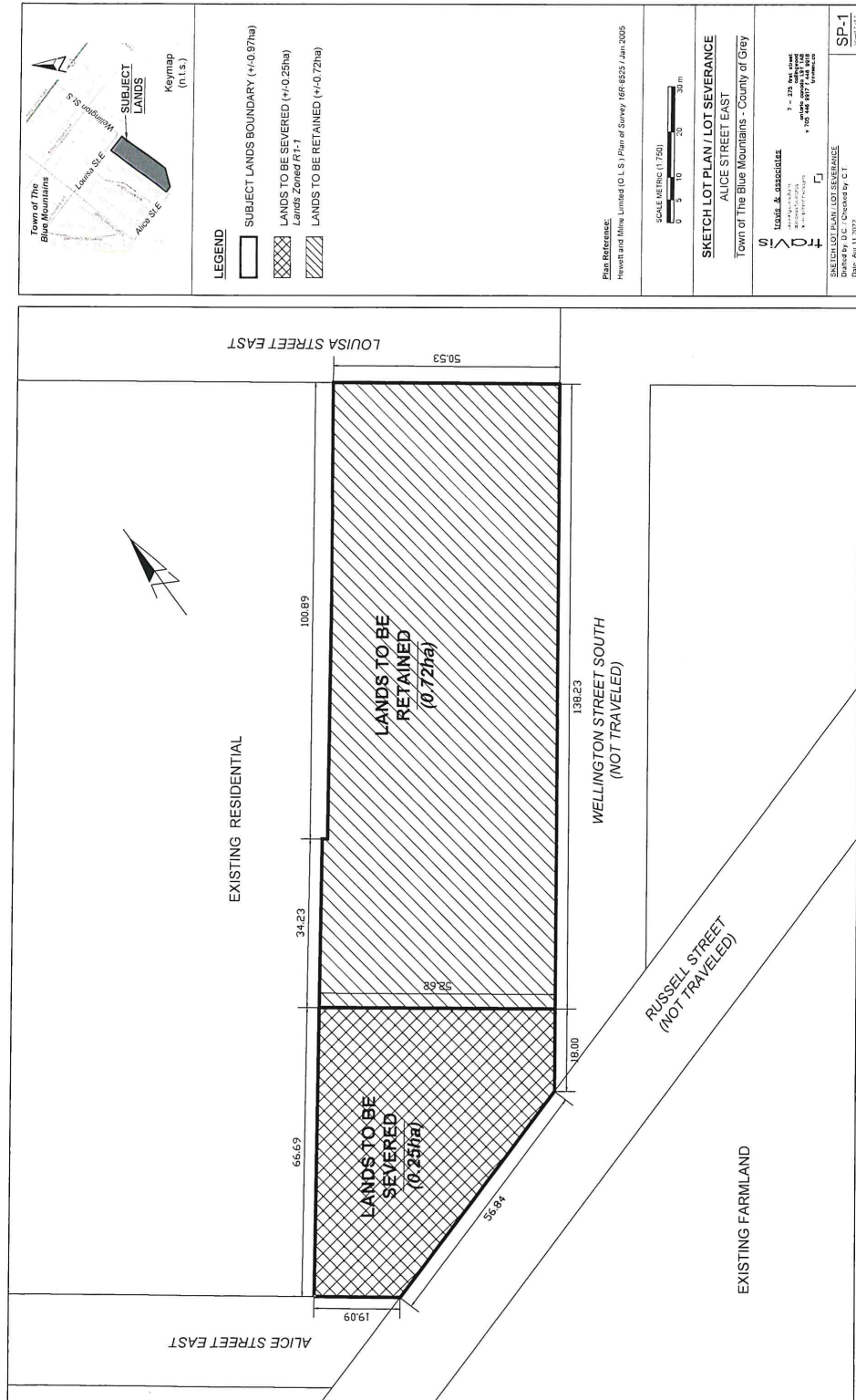
Michael Martin

Jan Pratt

Duncan McKinlay

Dated: August 21, 2024

Severance Sketch



Certification

Planning Act, R.S.O 1990, c. P.13, Sec 53(17) and 53(24), as amended

I, Carrie Fairley, Secretary-Treasurer to the Committee of Adjustment of the Town of The Blue Mountains, certify that the above is a true copy of the decision with respect to the application recorded therein.

Carrie Fairley, Secretary-Treasurer to the Committee of Adjustment
Town of The Blue Mountains

Dated: August 21, 2024

This document may be made available in other accessible formats as soon as practicable and upon request.



Staff Report

Planning & Development Services – Planning Division

Report To: Committee of Adjustment
Meeting Date: May 18, 2022
Report Number: PDS.22.069
Title: Recommendation Report – Severance B08-2022 – Lot 3, Concession 9, being Part 1, 16R-8525 (Elmes)
Prepared by: Travis Sandberg, Intermediate Planner

A. Recommendations

THAT the Committee of Adjustment receive Staff Report PDS.22.069, entitled “Recommendation Report – Severance B08-2022 – Lot 3, Concession 9 being part 1, 16R8525 (Elmes)”;

AND THAT the Committee of Adjustment GRANT Consent B08-2022, subject to the following conditions:

1. That the Applicant meets all the requirements of the Town, financial and otherwise, for the Certificate of Consent to be issued.
2. That the Applicant provide payment of cash-in-lieu of applicable parkland dedication and Development Charges for the new residential lot, as required by the Town.
3. That the depth of the Lot be modified to ensure it is located wholly within the R1-1 zone only.
4. That the Applicant prepare a Tree Inventory/Retention Plan, to the satisfaction of the Town, prior to final approval and registration of the Lot.
5. That the Applicant retains an engineer to provide an engineered Lot Development Plan to demonstrate that the existing Town water and sewer services can be extended to service the severed lot. The Lot Development Plan shall be submitted to the Town prior to final approval and registration of the Lot. A Municipal Land Use Agreement, or other Agreement as deemed appropriate by the Town, shall be entered into to facilitate all approved works.
6. That the Applicant retains an engineer to provide detailed design drawings for the provision of appropriate access to the site, to the satisfaction of the Town. Any design shall provide for a formalized pedestrian trail connection from Alice Street East to the

Beaver River Trail. A Municipal Land Use Agreement, or other Agreement as deemed appropriate by the Town, shall be entered into to facilitate all approved works.

7. That the Owner provides a description of the land and deposited reference plan, which can be registered in the Land Registry Office.

B. Overview

The purpose of this report is to provide a summary of the Planning staff review of this proposal to sever a new building lot on the property legal described as Lot 3, Concession 9, being Part 1, 16R-8525, in Thornbury. Staff recommend approval of this application, subject to the conditions outlined within this report.

C. Executive Summary

Application File #: B08-2022

Official Plan Designation: *Community Living Area*, subject to *Sewage Treatment Plant Area* constraint

Zoning Bylaw Category: *Residential One (R1-1), Development (D)*, subject to *Holding 'h5'*

Short Term Accommodations Permissions: Not Permitted

Location: Louisa Street East/Alice Street East, Thornbury

The Town received an application to sever a new building lot from the subject lands. The application seeks permission to create:

- A severed vacant lot of approximately 0.25ha in area, with 19m of frontage on Alice Street East.
- A retained vacant lot of approximately 0.72ha in area, with 50.5m of frontage on Louisa Street East.

Future development on the severed and retained lands would be serviced by municipal water and sewer services.

D. Background

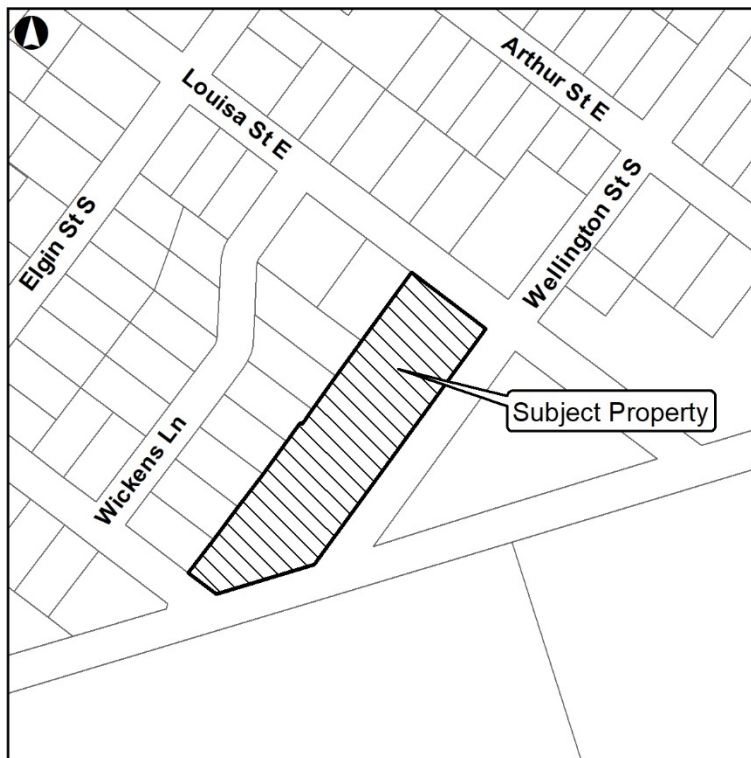
This file was submitted by Travis and Associates Inc., authorized Agent of the registered property Owner. It is Planning staff's understanding that the applicant intends to build a single detached residential dwelling unit on the proposed severed lands. No development is currently proposed for the retained vacant parcel.

Location

The lands are a through lot with frontage on Alice Street East, Louisa Street East, and the unopened portions of Wellington Street South and Russell Street, and are generally located at

the boundary of the urban settlement area of Thornbury. The area is characterized by single detached dwellings. The Beaver River Trail abuts the subject lands within the Russel Street Road allowance, with existing agricultural uses located to the south. A location map of the lands is provided below as Figure 1. The legal description of the lands is Lot 3, Concession 9 being Part 1, 16R-8525.

Figure 1: Location Map

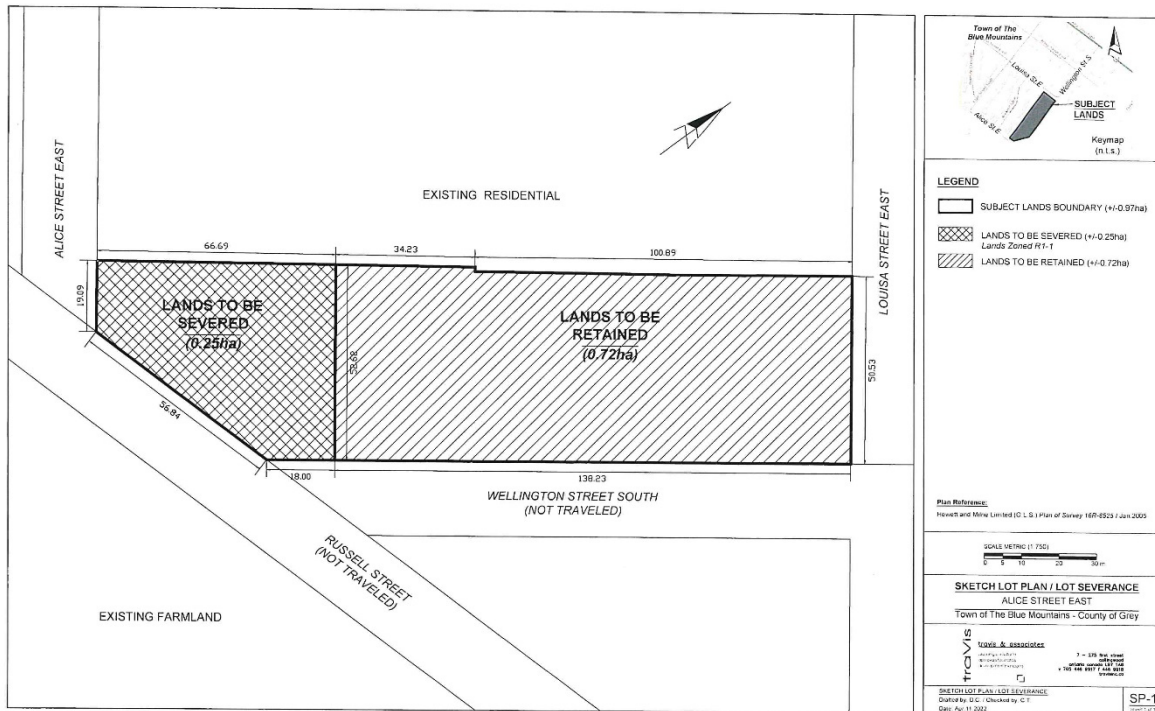


The subject property is vacant and contains an abandoned orchard. Figure 2 below shows an aerial view of the lands. The area proposed for severance in this application is at the southerly limit of the property, fronting onto Alice Street East. Figure 3 below is a sketch of the proposed lot boundaries submitted by the applicant.

Figure 2: Aerial View of the Subject Lands



Figure 3: Severance Sketch



Summary of Comments Received

At the time of the writing of this report, the following comments had been received:

Submitted From:	Comments:
EPCOR	Owner is responsible for the cost and installation of new underground service from transformer in front of 11 Wickens Lane to their residence.
Dave Thomson	Objects to the application. Concerned with impact on forest and greenspace, and impact of road extensions and associated traffic. Suggest that an Environmental Impact Study be completed, and access be provided from Louisa Street East. Information about development plans should also be shared with community.
Paul McCool	<p>Comments include:</p> <ol style="list-style-type: none"> 1. Inaccurate drawing for Alice Street East. 2. Deceptive drawing, as both severed and retained lands are to be severed and retained. 3. No mention of current zoning – believe it is Development “D”. 4. No indication of future plans for retained lands. 5. Drawing should detail existing lots on Wickens Lane. 6. Is there a requirement to extend Alice Street or develop Wellington Street or Russell Street as part of this award?

No other comments were received at the time of this report

E. Strategic Priorities

Land Use Policy and Documents Review

The Analysis section of this report provides an overview and analysis of the relevant Planning legislation and policies that apply to this application and used to determine whether the proposal can be supported.

Planning Act

The *Planning Act* gives the authority to grant a consent to sever land under Section 53 (1) of the Act, provided that the Committee is satisfied a Plan of Subdivision is not required for the

orderly development of the lands. Given the limited nature of the proposed development (one new lot) Planning staff would recommend that a Plan of Subdivision is not required. It is noted that an appropriate Agreement will be required for the extension of services and completion of any necessary improvements to the Alice Street East right of way, prior to any development or construction occurring.

The *Planning Act* also requires when making decisions, that Councils and Committees have regard for matters of Provincial Interest in Section 2 and matters under Section 51 (24) of the Act. Staff have reviewed the matters under Section 51 (24) the matters of Provincial Interest of Section 2 and have no concerns. It should be noted that these matters are captured within both the Provincial Policy Statement and the two relevant Official Plans in more detail, as outlined below.

Provincial Policy Statement 2020

The Provincial Policy Statement (PPS) provides more detailed policy direction on matters of provincial interest related to land use planning and development. Within the PPS framework, the subject property is located in a (primary) Settlement Area. The PPS supports a wide range of uses within Settlement Areas, acknowledges these as areas for the focus of growth and development, and that their vitality and regeneration shall be promoted.

The PPS also provides for intensification and redevelopment of settlement areas, using land and resources efficiently and where appropriate infrastructure and public services are available. Policies also provide for promotion of appropriate development standards to facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety. These development standards have been developed within the Town's Official Plan.

In the case of this proposal to create one residential lot, the subject lands are designated in the Official Plan as an area to support growth, being within a primary settlement area and designated residential lands. The proposed severed lot is also appropriately zoned to allow for a single detached residential dwelling unit and can be serviced with full municipal water and sewer services. Staff are satisfied that the proposal is consistent with Provincial Policy.

County Official Plan

The property is designated *Primary Settlement Area* in the County's Official Plan. Within the County's Plan, a variety of urban land uses are supported on full municipal water and sewer services, including commercial, industrial, institutional, and residential. The County's Official Plan defers detailed development policies to the Town's Official Plan.

Town of The Blue Mountains Official Plan

The Town's Official Plan designates these lands *Community Living Area (CLA)*. The CLA designation allows for a range of residential uses. The proposal is considered to be Greenfield Development, as defined by the Plan. More specifically, "Greenfields" are lands within designated settlement areas, which are designated for growth over the planning horizon, but which have not yet been fully developed. In this case, the proposed development is considered Greenfield development as the lands are designated for residential growth and are currently

vacant. It is noted that the retained lands are subject to the *Sewage Treatment Plant Area* constraint. This constraint does not apply to the proposed severed lot. No other constraints, including *Significant Woodlands*, are identified on the subject lands nor within 120m thereof.

Section B3.1.5 notes that existing residential neighbourhoods are intended to retain their existing character with limited change, but 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. These policies are reinforced by several design parameters that are intended to further retain neighbourhood character and stability, outlined in Section B3.1.5.3 of the Official Plan, as applies to Greenfield Development. Table 1 provides a detailed review of the Greenfield Development policies as apply to the subject proposal.

Figure 4: Official Plan Excerpt



Table 1: Intensification and Greenfield Development Policy Review (Section B3.1.5.3)

Policy	Staff Response
a) Where appropriate, consider the role of topography and natural vegetation in minimizing the impacts of taller buildings on adjacent land uses.	Building form is a single detached dwelling, as is the case on adjacent residential properties. The future dwelling will be subject to provisions of the R1-1 zone category and will remain at a consistent/compatible height to existing low-density residential land uses.
b) Demonstrate that the potential shadow impacts associated with taller buildings will be at an acceptable level on adjacent properties; new buildings 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 building.	The severed lands are zoned R1-1, similar to abutting residential land uses. There is no concern with respect to shadow impacts as the future dwelling will be limited to a maximum height of 9.5m, as permitted in the R1-1 zone, consistent with adjacent residential uses.
c) Respect the character of adjacent residential neighbourhoods, in terms of height, bulk, and massing.	The severed lands are zoned R1-1, similar to abutting residential land uses, and will be subject to the R1-1 zone provisions. There are no concerns with respect to height, bulk, and massing.
d) Building height reflects the pattern of heights of adjacent housing.	The severed lands are zoned R1-1, similar to abutting residential land uses, and will be limited to the maximum height permitted in the R1-1 zone.
e) Design considerate of lot coverages of adjacent housing.	The severed lands are zoned R1-1, similar to abutting residential land uses, and will be limited to the maximum lot coverage permitted in the R1-1 zone.
f) Consider the predominant or average front yard setback for adjacent housing to preserve streetscape edge and character.	The subject property exceeds the minimum lot frontage requirements of the R1-1 zone and may be considered compatible with existing lot frontages in the area.
g) Provide for similar side yard setbacks to preserve the spaciousness on the street.	The R1-1 zone provisions ensure that side yards will remain comparable to existing residential lots.

Policy	Staff Response
h) Design 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.	The severed lands abut existing residential uses along the interior side yard of the proposed parcel. Notwithstanding, it is noted that the R1-1 zone provisions ensure that rear yards will remain comparable to existing residential lots.
i) Provide a built-form that reflects the variety of façade details and materials of adjacent housing, such as porches, windows, cornices, and other details.	Architectural details for the future dwelling unit are not available at the time of writing. Notwithstanding, it is noted that development will be subject to the R1-1 zone provisions, consistent with adjacent residential lots.
j) Retain and enhance existing trees and vegetation, where possible, and additional landscaping will be provided to integrate the proposed development with the existing neighbourhood.	It is recommended that a condition be included to require a tree inventory/retention plan prior to lot creation to identify trees that can/should be retained on the subject lands.
k) Will not cause or create traffic hazards or an unacceptable level of congestion on surrounding roads.	The addition of one single detached dwelling unit is not expected to cause or create traffic hazards or congestion on surrounding roads. It is recommended that the existing trail entrance be formalized through the future works on Alice Street East, as will be required to provide access to the lands. Detailed engineering drawings outlining the proposed improvements for Alice Street East will be required to be approved by the Town prior to registration of the proposed lot.
l) Is located on a site that has adequate land area to incorporate required parking, recreational facilities, landscaping and buffering on-site.	The proposed lot is of adequate size and exceeds the minimum lot area permitted in the R1-1 zone. Required parking, buffering (i.e. minimum setbacks) and resulting on-site amenity area will be addressed as development of the site will be in conformity with Zoning By-law provisions.
m) If applicable, creates a street and block pattern, which serves as a seamless extension of the surrounding neighbourhoods by providing an	Not applicable as the proposal includes the creation of one single detached residential

Policy	Staff Response
interconnected block structure and the extension of the existing local road network.	building lot (as opposed to multiple lot Plan of Subdivision etc.).
n) Will have minimal impact on adjacent properties in relation to grading, drainage, access and circulation, and privacy.	A Building Permit, including a lot grading plan, will be required prior to construction of the future dwelling unit. No substantial impact on privacy is expected as development on the severed lands will maintain R1-1 setbacks etc. just as existing neighbouring properties on Wickens Lane are subject to R1-1 setbacks.
o) Buffers and 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.	No loading or storage facilities are proposed.
p) If large in scale, will not obstruct views of Georgian Bay along streets that terminate at or close to a water's edge	The proposal is minor in scale and includes the construction of one single detached dwelling unit and is not located in the vicinity of Georgian Bay.

Based on the housing type proposed (single detached as per the R1-1 zone), the proposal appears to comply with the Greenfield policies and the intent and direction of the Official Plan. It is noted that an extension of existing municipal sewer and water services on Alice Street East will be required, at the owner's sole cost.

Zoning By-law

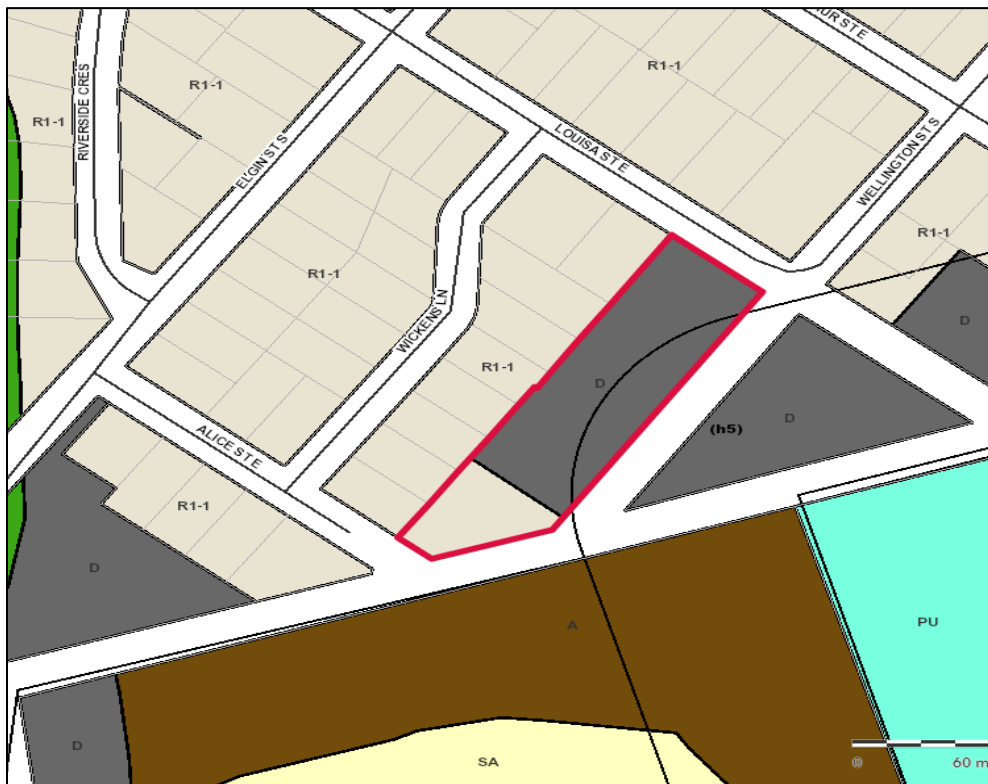
The severed lands are zoned *Residential (R1-1)*, which permit single detached residential units and accessory uses. The retained lands are zoned *Development (D)*. The retained lands are also within the Holding (-h5) Symbol area, due to proximity to the Thornbury Wastewater Treatment Plant.

Per Section 1.5(g) of Zoning By-law 2018-65, all lands within the *Development (D)* zone remain subject to the previously in-force Zoning By-law. In this case, the retained lands remain in the jurisdiction of the Town of Thornbury Zoning By-law 10-77, as amended. In this regard, the retained lands in their entirety are zoned *Development (D)* per Zoning By-law 10-77. Permitted uses in the *Development (D)* zone of Zoning By-law 10-77 include the construction of one single detached dwelling unit on a lot existing at the date of passing of Zoning By-law 10-77.

The proposed severance conforms to the R1-1 zone as the new lots exceed the minimum lot area of 550 square metres and minimum lot frontage of 18 metres. There are no concerns with respect to the retained lands, as the entirety of the *Development (D)* zone will be maintained as is currently in place.

General Provision 4.15, entitled *Frontage on a Public Street*, does not permit the construction of a building or structure unless the lot abuts or fronts on a public street which is assumed by by-law by a public authority for maintenance purposes. The severed lands currently front onto an unimproved section of Alice Street East. In order to satisfy zoning requirements, it is recommended that a condition of provisional Consent be included to require the applicant to prepare detailed engineering design drawings for the extension of Alice Street East, as needed to provide for safe access to the site. An acceptable design shall be determined prior to registration of the lot, and to the satisfaction of the Town. In this regard, the future improvements shall include a formal public trail access to the Beaver River Trail to replace the current informal access now located on Alice Street East. All required improvements shall be borne solely by the applicant.

Figure 5: Zoning Excerpt



Conclusions

Based on the staff review above, the proposed Consent application for a new residential building lot meets the PPS, County Official Plan, and Official Plan Policy provided that the recommended Conditions of Consent are fulfilled to the satisfaction of the Town. A draft Consent Decision is found in Attachment 1.

Subject to any comments from agencies or the public, staff recommend approval of this application as outlined in this Report and as per the Conditions of Consent provided.

F. Strategic Priorities

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.

G. Environmental Impacts

No negative natural environmental impacts are anticipated as a result of the recommendations in this report. The proposed new lot would be created within an area used as an apple orchard, as such it is recommended that an Environmental Site Assessment be completed as a condition of provisional Consent.

H. Financial Impact

No negative financial impacts to the Municipality are anticipated as a result of the recommendations in this report. The cost of service extensions, lateral installations, and costs associated with construction of the future private driveway/road extension, are to be borne by the applicant or property owner. The creation of a new lot does require payment of development charges and will provide for a new dwelling, which will require building permit fees.

I. In Consultation With

Municipal departments, public agencies, and the general public as a result of circulation of the Notice of Public Hearing in accordance with the provisions of the *Planning Act*.

J. Public Engagement

The topic of this Staff Report will be the subject of a Public Meeting taking place on May 18, 2022. Those who provide comments at the Public Meeting including anyone who has asked to receive notice regarding this matter, will be provided a Notice of Decision.

Comments regarding this report should be submitted to Travis Sandberg, planning@thebluemountains.ca

K. Attached

1. Draft Decision

Respectfully submitted,

Travis Sandberg
Intermediate Planner

For more information, please contact:
Travis Sandberg, Intermediate Planner
planning@thebluemountains.ca
519-599-3131 extension 283

Report Approval Details

Document Title:	PDS.22.069 Recommendation Report - Severance B08-2022 - Lot 3, Concession 9 being Part 1, 16R8525 (Elmes).docx
Attachments:	- B08-20221 - Decision TOWN of THE BLUE MOUNTAINS.docx
Final Approval Date:	May 13, 2022

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

Trevor Houghton - May 13, 2022 - 1:17 PM



The Corporation of the Town of The Blue Mountains

Committee of Adjustment

Decision on Consent Application File No. B08-2022

Owners/Applicants: Elmes

Purpose / Effect: The purpose and effect of this application is to sever a portion of the lands in order to create a new residential lot.

Legal Description: Lot 3, Concession 9, being Part 1, 16R-8525

Severed Parcel: Frontage: 19.0metres Depth: 52 metres (Irreg.) Area: 1726.5sq metres

Retained Parcel: Frontage: 50.5 metres Depth: 152.9 metres Area: 7672.7 sq metres

Road Access: Opened Alice Street East Right-of-Way

Servicing: Municipal Sanitary and Water

Decision: **Grant Provisional Consent**

Date of Decision: **May 18, 2022**

In making the decision upon this application for Consent, the Committee of Adjustment of The Corporation of the Town of The Blue Mountains is satisfied that the proposed Consent Application complies with the intent and direction of the Provincial Policy Statement, County of Grey Official Plan and the Town of The Blue Mountains Official Plan, and represents good planning.

Notice: The last date for appealing this decision or any of the conditions is: **June 9, 2022**

If provisional consent is given, then the following conditions must be met by May 20, 2024 (two years of the Notice of Decision).

1. That the Applicant meets all the requirements of the Town, financial and otherwise, for the Certificate of Consent to be issued.
2. That the Applicant provide payment of cash-in-lieu of applicable parkland dedication and Development Charges for the new residential lot, as required by the Town.
3. That the depth of the Lot be modified to ensure it is located wholly within the R1-1 zone only.
4. That the Applicant prepare a Tree Inventory/Retention Plan, to the satisfaction of the Town, prior to final approval and registration of the Lot.
5. That the Applicant retains an engineer to provide an engineered Lot Development Plan to demonstrate that the existing Town water and sewer services can be extended to service the severed lot. The Lot Development Plan shall be submitted to the Town prior to final approval and registration of the Lot. A Municipal Land Use Agreement, or other Agreement as deemed appropriate by the Town, shall be entered into to facilitate all approved works.
6. That the Applicant retains an engineer to provide detailed design drawings for the provision of appropriate access to the site, to the satisfaction of the Town. Any design shall provide for a formalized pedestrian trail connection from Alice Street East to the Beaver River Trail. A Municipal Land Use Agreement, or other Agreement as deemed appropriate by the Town, shall be entered into to facilitate all approved works.
7. That the Owner provides a description of the land and deposited reference plan, which can be registered in the Land Registry Office.
8. That the Owner provide a Phase 1 Environmental Site Assessment, and that any recommendations from this Assessment be implemented to the satisfaction of the Town.
9. That all above conditions be fulfilled within two years of the Notice of Decision so that the Certificate of Consent pursuant to Section 53(42) of the Planning Act, can be issued by the Town.

Robert B. Waing

Peter Franklyn

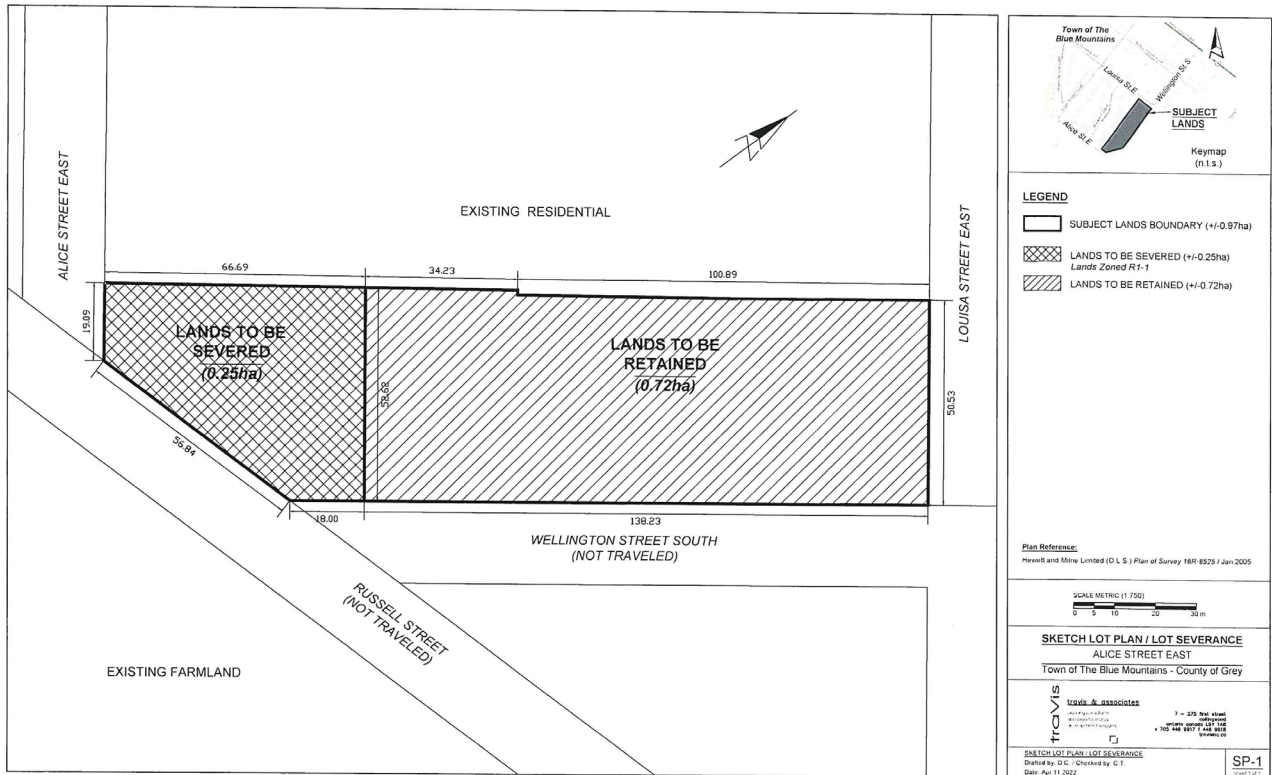
Bill Remus

Jim Uram

Jim Oliver

Dated: May , 2022

Key Map - Severance Sketch



Certification

Planning Act, R.S.O 1990, c. P.13, Sec 53(17) and 53(24), as amended

I, Kyra Dunlop, Secretary-Treasurer of the Committee of Adjustment of the Town of The Blue Mountains, certify that the above is a true copy of the decision of the Committee of Adjustment with respect to the application recorded therein.

Kyra Dunlop, Secretary-Treasurer
 Committee of Adjustment
 Town of The Blue Mountains

Dated: May , 2022

B09-2024

Carter Triana

From: JOANNE DEVISSER [REDACTED]
Sent: July 7, 2024 7:20 PM
To: Planning General; Kyra Dunlop
Subject: B09-2024 Application contest. For Council Review

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Planning and Council,

I am writing to contest application B09-2024 on the grounds that the applicant proposes to open Alice St E which will require the removal of trees - and put at risk other trees, flora and fauna on the beaver river trail. This trail - especially this section has been designated an important wildlife corridor.

This will also negatively impact an important part of the TBM Active Transport trail system. Destruction of these trees will remove an important section that enables residents to travel from Clark Street to downtown without having to go on the highway.

According to the Town website:

"Completed in 2011, the Trail was constructed using Federal, Provincial and Municipal funds. The Trail in its entirety is 10.7 kilometres and connects the Thornbury Harbour to Clendenan Dam, by way of sidewalks and limestone based trails. A few looping sections of the Trail are natural based which provide a closer look at the Beaver River in an area that has not been reached in many years. The Beaver River Trail has a number of scenic rest areas and vistas with benches. As well, the Trail meanders through Town parks such as Thornbury Riverwalk area located at The Blue Mountains Municipal Office, Lion's Park and Fireman's Park both in Clarksburg. Many interpretive signs provide historical and environmental education opportunities along the way making this trail both enjoyable and educational! enjoyable and educational!"

It would appear that a suitable access to this property could be gained from Louisa Street, without any disruption to the trail or tree canopy.

Thank you for your consideration

Joanne de Visser

Sent from Yahoo Mail. [Get the app](#)

Carter Triana

From: Leah Jackson <[REDACTED]>
Sent: July 7, 2024 9:32 PM
To: Kyra Dunlop; Planning General
Subject: Objection to Application B09-2024

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Director of Planning and Town Council,

I contest application B09-2024 on the grounds that the applicant proposes to open Alice St E which will necessitate the removal of trees on the beaver river trail.

Please protect this important part of our community and ecosystem.

Sincerely,

Leah Jackson

Resident of the Blue Mountains at [REDACTED]
[REDACTED]

From: planning@grey.ca
Sent: July 8, 2024 2:39 PM
To: Planning General
Subject: County comments for B09-2024 Elmes

County comments for B09-2024 Elmes



Hello TBM,

Please see below for the County comments for Consent application B09-2024 Elmes - Joe & Lynda Elmes.

County Planning Ecology staff have reviewed the subject application and have a comment stating,

Natural Heritage

The property does not contain natural heritage features nor their adjacent lands. As such, an Environmental Impact Assessment (EIS) is not required.

Stormwater Management

It is Grey County Staffs understanding stormwater management infrastructure is not needed for the proposal.

County Planning staff have reviewed the subject application. The County OP does not permit lot creation on unopened/unmaintained roads. Further, new lot creation is required to have road frontage. Provided the road extension is designed to municipal standards and is to the satisfaction of the Town, as per the conditions listed in B08-2022; County Planning staff have no concerns.

Please note, a paper copy will not be provided unless requested.

Let us know if you have any questions.

Best regards,

Derek McMurdie

Carter Triana

From: Peter Tuters [REDACTED]
Sent: July 8, 2024 3:19 PM
To: Planning General
Cc: Sarah Waggott; Kyra Dunlop
Subject: Application B09-2024

To: Blue Mountain Planning Department

Re : Application B09-2024

Date : July 8 th 2024

From : Peter and Vivian Tuters 43 Elgin Street South , Thornbury

We contest application B09-2024 on the grounds that the applicant proposes to open Alice St E which will necessitate the removal of trees on the beaver river trail. (The approximate amount is 23 trees).

We use this trail regularly . It is a wonderful amenity for our community.

Please keep us informed as to the status of this application

Carter Triana

From: peter lamont [REDACTED]
Sent: July 7, 2024 6:31 PM
To: Planning General
Cc: Kyra Dunlop
Subject: Application B09-2024

Follow Up Flag: Follow up
Flag Status: Flagged

Hi,

I contest application B09-2024 on the grounds that the applicant proposes to open Alice St E which will necessitate the removal of trees on the beaver river trail. (The approximate amount is 23 trees).

Regards,
Peter Lamont

Carter Triana

From: Sarah Waggott [REDACTED]
Sent: July 4, 2024 9:09 AM
To: Planning General
Subject: B09-2024

Hello,

I would like to know how this proposal affects the trees on the beaver river trail? Exactly how many trees will be removed?

The community has been waiting for tree inventory plans from Mr. ELMES after his 2022 visit to the committee of adjustments. We still await information regarding how exactly the creation of this new lot will affect the trees on this much loved, well travelled active transport route and natural corridor.

Please provide more information regarding access to the proposed new lot.

Thank you,
Sarah Waggott

Carter Triana

From: Karen Long
Sent: June 27, 2024 3:30 PM
To: CA - Circulations
Cc: Planning General
Subject: RE: Consent Applications - Decision Date July 17, 2024

Follow Up Flag: Follow up
Flag Status: Flagged

Thank you for your email,



Karen Long

Administrative Assistant for Planning Services
Town of The Blue Mountains, 32 Mill Street, P.O. Box 310, Thornbury, ON N0H 2P0
Tel: 519-599-3131 ext. 263 | Fax: 519-599-7723
Email: klong@thebluemountains.ca | Website: www.thebluemountains.ca

IMPORTANT INFORMATION

As part of providing [accessible customer service](#), please let me know if you have any accommodation needs or require communication supports or alternate formats.

From: CA - Circulations <CA.Circulations@wsp.com>
Sent: Thursday, June 27, 2024 3:25 PM
To: Karen Long <klong@thebluemountains.ca>
Subject: RE: Consent Applications - Decision Date July 17, 2024
Importance: Low



Your E-mail was Received on: Thursday, June 27, 2024

Thank you for your email on: Consent Applications - Decision Date July 17, 2024

The information that municipalities provide to Bell Canada is instrumental to the provisioning of telecommunications infrastructure and we appreciate the opportunity to be proactively engaged in development applications and infrastructure and policy initiatives.

Bell Canada will provide a response should any comments / input be required on the information included in the circulation received. Bell Canada kindly requests that even if a specific comment is not provided at this time that you continue to circulate us at circulations@wsp.com on any future materials related to this

development project or infrastructure / policy initiative so that we can continue to monitor its progress and are informed of future opportunities for engagement.

1) Bell Canada Responses to Pre-Consultation & Complete Development Application Circulations:

Pre-consultation Circulations

Please note that Bell Canada does NOT generally comment on pre-consultation circulations unless the information provided identifies that a future draft plan of subdivision, draft plan of condominium and/or site plan control application will be required to advance the development proposal.

Complete Application Circulations & Recirculations

Please note that Bell Canada does NOT generally comment on the following development applications - official plan and zoning by-law amendments, part lot control, temporary use and interim control by-laws. However, Bell Canada does generally comment on site plan approval, draft plans of subdivision and draft plan of condominium applications.

Bell Canada will generally comment on recirculations where the change modifies the proposed residential dwelling unit count and/or non-residential gross floor area in a draft plan of subdivision, draft plan of condominium and/or site plan control application.

2) Bell Canada Responses to Infrastructure and Policy Initiative Circulations:

If required, a follow-up email will be provided by Bell Canada to outline any input to be considered on the infrastructure / policy initiative circulation received at this time.

Concluding Remarks:

If you have any other specific questions, please contact planninganddevelopment@bell.ca directly.

We note that WSP operates Bell Canada's development tracking system, which includes the intake and processing of municipal circulations. **However, all responses to circulations and requests for information, such as requests for clearance, will come directly from Bell Canada, and not from WSP.** WSP is not responsible for the provision of comments or other responses.

Should you have any questions, please contact the undersigned.

Yours Truly,



Juan Corvalan

Bell Canada

Senior Manager – Municipal Liaison

Network Provisioning

planninganddevelopment@bell.ca

From: Karen Long <klong@thebluemountains.ca>
Sent: Thursday, June 27, 2024 7:17:43 PM
Subject: Consent Applications - Decision Date July 17, 2024

Good afternoon,

Kindly use the link below to view the Consent Applications for the Decision date of July 17, 2024 .

If you have any questions or concerns, please email planning@thebluemountains.ca

Citrix Attachments	Expires July 27, 2024
B06-2024 Application Package (Saladino and ...ll).pdf	6.3 MB
B09-2024 Application Package (Elmes).pdf	3.1 MB
B10-2024, B11-2024, B12-2024 Application ...ns).pdf	23.9 MB
B13-2024 & B14-2024 Application Package (...c.).pdf	31.4 MB
B15-2024 Application Package (Bolland).pdf	2.7 MB

[Download Attachments](#)

Blue Mountains Planning uses Citrix Files to share documents securely.

At this time, I trust you find this in order,



Karen Long

Administrative Assistant for Planning Services
Town of The Blue Mountains, 32 Mill Street, P.O. Box 310, Thornbury, ON N0H 2P0
Tel: 519-599-3131 ext. 263 | Fax: 519-599-7723
Email: klong@thebluemountains.ca | Website: www.thebluemountains.ca

IMPORTANT INFORMATION

As part of providing [accessible customer service](#), please let me know if you have any accommodation needs or require communication supports or alternate formats.

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-LAEhHhHzdJzBITWfa4Hgs7pbKI



July 08, 2024

Mr. Adam Smith
Director of Planning and Development Services
Town of The Blue Mountains
Thornbury, Ontario.

Email: asmith@thebluemountains.ca

Cc: cgiles@thebluemountains.ca

Dear Mr. Smith:

Re: Beaver River Trail – Importance of Tree Canopy Protection
Notice of Complete Application and Decision Date – B09-2924

In regards to the above-referenced application, we understand that a decision will be reached shortly regarding approval of the creation of a development lot, and the opening up of the Alice Street East road allowance to allow the owner to access the lot. We understand, if the opening of the Alice Street East road allowance is approved, that this would initiate the destruction of multiple trees within the adjacent Beaver River Trail.

We also understand that there is alternative access available to the owner from the Wellington Street road allowance at Louisa Street East.

Clearly, the latter alternative is preferred as there would be no impact on either the Beaver River Trail nor the very important tree canopy lining its path. Town policy, contained within the Blue Mountains Future Story, the Transportation Master Plan, the Leisure Services Plan and most recently, the Natural Assets and Heritage studies all direct the Town to conserve, protect and enhance our tree canopy. And, it is easy to implement these policies particularly when the canopy is on **Town Owned Lands**, and there is a viable alternative.

Email: canntbm@gmail.com Facebook: [Climateactionnownetwork](https://www.facebook.com/Climateactionnownetwork) Instagram: [gogreen4blue](https://www.instagram.com/gogreen4blue)

While we await the staff report, please consider our comments and the commitment within the Future Story regarding Governance: “The Blue Mountains has strong and adaptive leadership that makes decisions based on the overall community needs, sustainability of resources and long-term prosperity”. The Trail and the trees should be protected for the benefit of the overall community.

Kind regards,

Sally Leppard
CANN Co-Lead




CANN! We are a volunteer group in Town of the Blue Mountains. Our goal is to reduce the carbon footprint of the area and work together towards a more sustainable community.

Carter Triana

From: Koni [REDACTED]
Sent: July 8, 2024 8:55 PM
To: Planning General
Subject: Alice Street East Road Allowance

We contest application B09-2024 on the grounds that the applicant proposes to open Alice Street East which will necessitate the removal of trees (approximately 23 trees) on the Beaver River Trail.

 Connie & Mike Kader

Carter Triana

From: Thomson, David <[REDACTED]>
Sent: July 7, 2024 8:18 PM
To: Planning General; Kyra Dunlop
Subject: Re #B09-2024 Application To Contest - For Council Review

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Planning Department and Town of the Blue Mountains Council,

I am writing to you today, to formally contest application #B09-2024. I am contesting this application, on the grounds that the applicant's proposal to open Alice St E, requires the unnecessary removal of many, many trees (upwards of 80 I believe), and in doing so puts at risk the remaining trees (through the destabilization of root systems), eliminates important habitat for small animals, and eliminates the historic community use of that section of the Beaver River Trail, which is designated an important wildlife corridor.

This application also negatively impacts an important part of the Town of the Blue Mountains Active Transport trail system. Destruction of these trees, shrubs, and other fauna, will remove an important section of the trail that enables residents to travel from Clark Street to downtown without having to go on the highway.

According to the Town website pertaining to the **Beaver River Trail:**

"Completed in 2011, the Trail was constructed using Federal, Provincial and Municipal funds. The Trail in its entirety is 10.7 kilometres and connects the Thornbury Harbour to Clendenan Dam, by way of sidewalks and limestone based trails. A few looping sections of the Trail are natural based which provide a closer look at the Beaver River in an area that has not been reached in many years. The Beaver River Trail has a number of scenic rest areas and vistas with benches. As well, the Trail meanders through Town parks such as Thornbury Riverwalk area located at The Blue Mountains Municipal Office, Lion's Park and Fireman's Park both in Clarksburg. Many interpretive signs provide historical and environmental education opportunities along the way making this trail both enjoyable and educational! enjoyable and educational!"

I strongly urge the Planning department and Council, to NOT approve this application as currently proposed and ask the applicant to consider more suitable access to this property from Louisa Street instead, which would not impact this valuable and treasured community trail and the well established forest canopy.

Many thanks for your thoughtful consideration.

David Thomson
[REDACTED]
[REDACTED]

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If you have received this communication in error, please notify the sender immediately by replying to this email and delete the message and any attachments from your computer.

Carter Triana

From: Ernie Embacher <[REDACTED]>
Sent: July 8, 2024 11:56 AM
To: Planning General
Cc: Kyra Dunlop
Subject: :proposed opening of the Alice Street East road allowance.

Hello.....I would like to join the **opposition** to the proposed opening of the Alice Street East road allowance. Even though I am not directly affected by this proposal, the trail and it's adjacent flora and fauna should be preserved for present and future residents of TBM.

Ernest. Embacher
[REDACTED]
Clarksburg, NOH 1J0

Carter Triana

From: Kyra Dunlop
Sent: July 8, 2024 2:14 PM
To: Carrie Fairley
Subject: FW: Application B092024

Kyra Dunlop
Deputy Clerk, BA (Hons)
Town of The Blue Mountains, 32 Mill Street, P.O. Box 310, Thornbury, ON N0H 2P0
Tel: 519-599-3131 ext. 306 | Fax: 519-599-7723
Email: kdunlop@thebluemountains.ca | Website: www.thebluemountains.ca

As part of providing accessible customer service, please let me know if you have any accommodation needs, require communication supports or alternate formats.

-----Original Message-----

From: [REDACTED]
Sent: Monday, July 8, 2024 1:39 PM
To: planning@thebluemountain.ca
Cc: Kyra Dunlop <kdunlop@thebluemountains.ca>
Subject: Application B092024

I wish to inform you that I contest Application B092024 on the grounds that the applicant proposed to open Alice St. East, which will necessitate the removal of many, many trees on the Beaver Valley Trail.
(Approximately 23 trees)

Florence Farr
[REDACTED]
Thornbury,

Carter Triana

From: Erwin Embacher [REDACTED]
Sent: July 7, 2024 5:24 PM
To: Planning General
Subject: Fwd: Re Alice Street East development

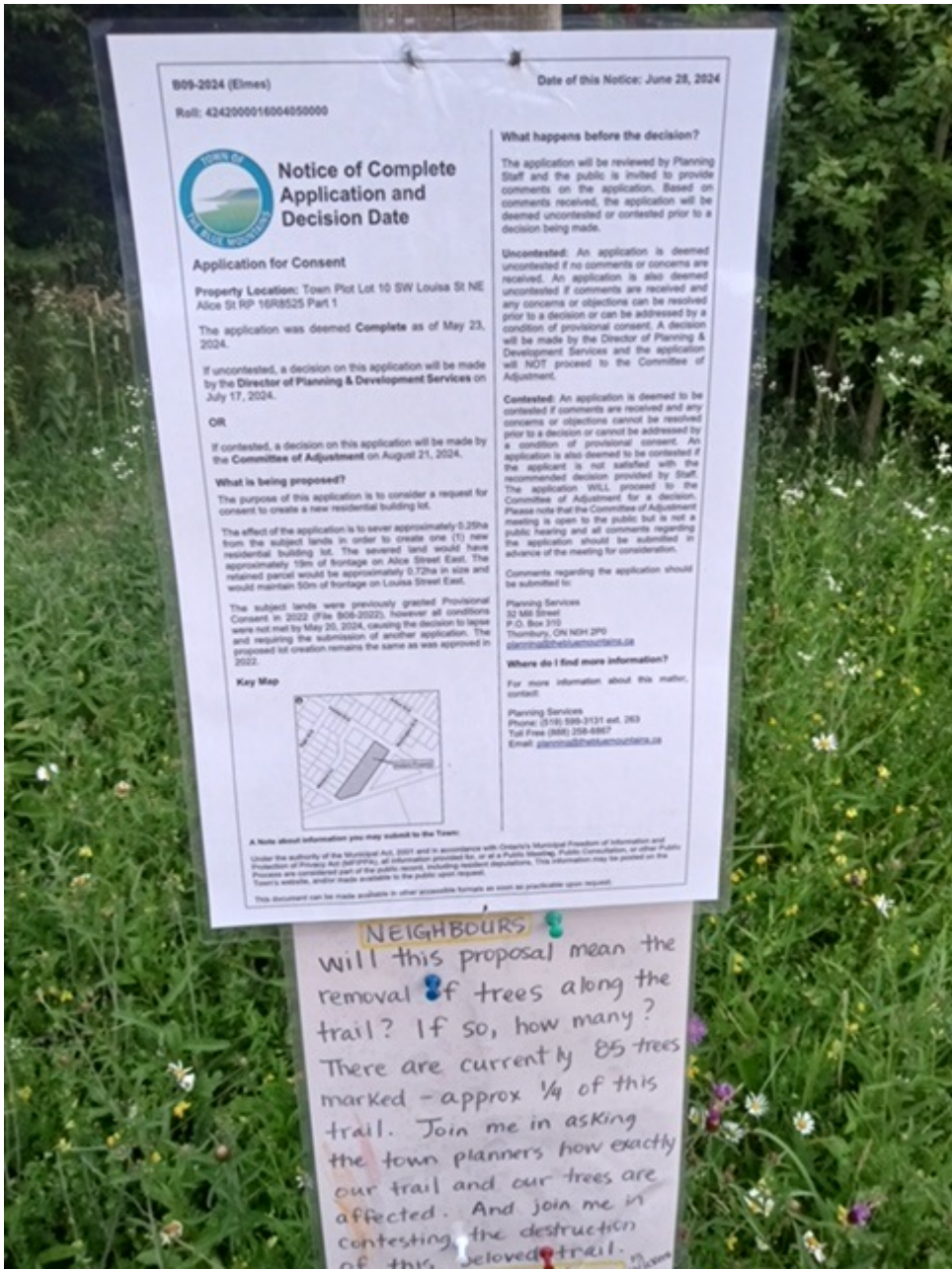
Follow Up Flag: Follow up
Flag Status: Flagged

Subject: Re Alice Street East development

Two years ago an application was filed with the TBM Committee of adjustment by a land owner to open up a portion of the Alice Street East road allowance, to permit a land owner to create access to a residential lot. Conditional approval was granted to the owner, subject to engineering and environmental assessments of the unopened road allowance. This permit approval has lapsed, and the owner will have to submit it again. The land owner's surveyor has marked over 80 trees for destruction, on the road allowance right-of-way to develop this access to the property. The said road allowance is part of the Beaver River Trail. The property owner has other options to access his building lot via a continuation of Wellington St where it meets Louisa street. That option would not have the negative environmental impact. This part of the Beaver River Trail under threat to the chain saw is a vital wildlife corridor, and is home to several bird species, as well as a significant fern bog. It is one of the few natural pathways left on the East side of the Beaver River. It's difficult to understand how this destruction can proceed with the town's blessing, in light of the town's aim to increase the urban tree canopy. According to the plan on his permit application, the applicant could access the property from Louisa street, without the massive forest destruction.

From the posted application, it is not clearly understood, how this road allowance opening would impact on this much loved green space on the Beaver River Trail.

Should this application go uncontested, a decision will be made by the TBM Director of Planning and Development on July 17. This is very short notice for the consequences of what appears to be wholesale destruction of a valued green space.



B09-2024 (Elmes)

Date of this Notice: June 28, 2024

Roll: 424200016004050000



Notice of Complete Application and Decision Date

Application for Consent

Property Location: Town Plot Lot 10 SW Louisa St NE Alice St RP 16R8525 Part 1

The application was deemed Complete as of May 23, 2024.

If uncontested, a decision on this application will be made by the Director of Planning & Development Services on July 17, 2024.

OR

If contested, a decision on this application will be made by the Committee of Adjustment on August 21, 2024.

What is being proposed?

The purpose of this application is to consider a request for consent to create a new residential building lot.

The effect of the application is to sever approximately 0.25ha from the subject lands in order to create one (1) new residential building lot. The severed land would have approximately 19m of frontage on Alice Street East. The retained parcel would be approximately 0.72ha in size and would maintain 50m of frontage on Louisa Street East.

The subject lands were previously granted Provisional Consent in 2022 (File 808-2022), however all conditions were not met by May 20, 2024, causing the decision to lapse and requiring the submission of another application. The proposed lot creation remains the same as was approved in 2022.

Key Map



A Note about information you may submit to the Town:

Under the authority of the Municipal Act, 2001 and in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act (M.F.I.P.A.), all information provided to, or at a Public Hearing, Public Consultation, or other Public Process are considered part of the public record, including written representations. This information may be posted on the Town's website, and/or made available to the public upon request.

This document can be made available in other accessible formats on most on practicable upon request.

What happens before the decision?

The application will be reviewed by Planning Staff and the public is invited to provide comments on the application. Based on comments received, the application will be deemed uncontested or contested prior to a decision being made.

Uncontested: An application is deemed uncontested if no comments or concerns are received. An application is also deemed uncontested if comments are received and any concerns or objections can be resolved prior to a decision or can be addressed by a condition of provisional consent. A decision will be made by the Director of Planning & Development Services and the application will NOT proceed to the Committee of Adjustment.

Contested: An application is deemed to be contested if comments are received and any concerns or objections cannot be resolved prior to a decision or cannot be addressed by a condition of provisional consent. An application is also deemed to be contested if the applicant is not satisfied with the recommended decision provided by Staff. The application WILL proceed to the Committee of Adjustment for a decision. Please note that the Committee of Adjustment meeting is open to the public but is not a public hearing and all comments regarding the application should be submitted in advance of the meeting for consideration.

Comments regarding the application should be submitted to:

Planning Services
32 Mill Street
P.O. Box 310
Thurso, ON N0H 2P0
elmer@elmermunicipality.ca

Where do I find more information?

For more information about this matter, contact:

Planning Services
Phone: (519) 899-3131 ext. 263
Toll Free (888) 258-8967
Email: planning@elmermunicipality.ca

NEIGHBOURS

Will this proposal mean the removal of trees along the trail? If so, how many? There are currently 85 trees marked - approx 1/4 of this trail. Join me in asking the town planners how exactly our trail and our trees are affected. And join me in contesting the destruction of this beloved trail.

Erwin Embacher

Sent from my iPad

Carter Triana

From: gforshaw [REDACTED]
Sent: July 8, 2024 12:37 PM
To: Planning General
Subject: B09-2024

Dear Sir or Madam,
I am writing regarding the above planning application.

Firstly, the ecological impact of chopping down up to 85 trees (many of which are mature) for the sake of one residence, at a time when man made global warming, is fast destroying our planet, is mind blowingly ridiculous. Furthermore, this part of the Beaver river trail, has been established for many years and has offered visitors and residents, the opportunity to enjoy nature, close to what is now becoming a town that has succumbed to building development mania.

With regards to the development proposal for the single dwelling, this would be situated right at the very bottom of the owner's orchard that fronts Loiisa Street. An immeasurably better alternative, would be for the TBM to grant access via a lane way through his orchard, from Louisa Street. Another option, would be to open up the Wellington Street Road allowance. This brings me to another question. Beyond cutting down all the trees, a road would also need to be constructed and at what cost? Who would pay for it and how can we be sure that once constructed, the TBM would forbid access from it to any further development proposals?

The Beaver River Trail is a rare facility and needs not only to be preserved, but should be extended to run across Arthur Taylor Lane, to the banks of the river and run to the portion of the path, that connects to the exsiting path that runs to the Clarksburg bridge.

I am hoping to attend the town council meeting on 15th July, but would appreciate it if you would read out this email at the meeting.

Regards.

Geoffrey Forshaw.
[REDACTED]

Sent from Proton Mail Android

Carter Triana

From: Alan Spence [REDACTED]
Sent: July 9, 2024 5:21 PM
To: Planning General
Cc: Kyra Dunlop; Karen Cronin
Subject: Contesting planning application B09-2024

To TBM Director of Planning:

We contest application B09-2024 on the grounds that the applicant proposes to open Alice St E which will necessitate the removal of trees on the Beaver River Trail.

Moreover, we believe that the owner and the Town could give more consideration to other, less destructive, options to access the subject property. For example, the extension of Wellington St. S. from Louisa St. which would:

- Give access to the subject property without destroying native trees, natural habitat, and a widely-used trail corridor, all of which are contrary to town planning guidelines
- Improve the value of the subject property and the neighbourhood by preserving its seclusion and surrounding tree canopy
- Give more immediate access to neighbouring development land north of the property, which would need to be done soon anyway.

As ratepayers we would expect a full public disclosure and discussion of all reasonable options considered for access to this property along with clear explanation of the reasons for selecting the method described in the application.

Please forward a copy of the report on this application when it is available. Thank you.

Sincerely
Alan Spence and Karen Cronin
[REDACTED]

Sent from my iPhone

Carter Triana

From: GARRY GRAHAM [REDACTED]
Sent: July 11, 2024 2:20 PM
To: Planning General
Subject: Beaver River Trail - tree cutting and private access request

Follow Up Flag: Follow up
Flag Status: Flagged

Attention: Carter Triana, Town Planner:

We are avid users of this great trail, for exercise and walking our dog twice daily. We wish to voice our objections to this request by a private property owner to cut many trees and perhaps close the trail to access a private property where a home is to be built (or eventually many homes). This trail is very much used by many permanent residents as well as by weekenders.

We would appreciate any updates regarding this situation, via email, as it goes through council.

Thank you for your attention to this matter.

Sincerely
Garry and Patricia Graham

[REDACTED]
Thornbury
[REDACTED]
[REDACTED]

Sent from my iPad

Manuel Rivera

From: Diane Tuters [REDACTED]
Sent: July 17, 2024 12:08 PM
To: Planning General
Subject: File B09-2024 Plot 10SW Louisa St NE

Follow Up Flag: Follow up
Flag Status: Completed

We wish to contest the application and have the following concerns to take into consideration:

1. The proposed access route for the property would infringe on an existing stand of trees and trail network to the SE of the Wickens Lane properties. The ecological significance of this stand of trees should be considered in the decision and mitigations.

In addition, there is significant ecological value in the form of tree species protected under Ontario's Endangered Species Act believed to be present either on or adjacent to the property which development may affect.

2. There may be wetlands present that do not support development.

3. The trees on the SE side of Wickens Lane properties also provide a vegetative screen to the TBM Treatment Plant and any development to the East of the neighborhood. If they were taken down there would be property value concerns for the residents that would need to be looked at.

4. The trail network present in the area is culturally significant to both the neighborhood residents as well as the surrounding community.

5. Soil erosion should be considered in the development site. A proper buffer should be prescribed to allow sustainability of the existing ecological features of the property.

6. Any proposed access to the property and road allowance should be contemplated in a manner that least impacts the trail network and surrounding vegetation.

Thank you for considering these aspects of the proposed building site.

Diane and Ojars Tuters
[REDACTED]
Thornbury

Sent from my iPad

From: [donna kearns](#)
To: [Planning General](#)
Subject: File: B09-2024 -- Proposed opening of the Alice Street East Road Allowance
Date: July 15, 2024 9:09:30 PM

Director of Planning & Development Services
Planning Services
32 Mill Street
P. O. Box 310
Thornbury, ON
N0H 2P0

Dear Director

A proposal is before Planning & Development Services relating to Town Plot Lot 10, SW Louisa Street NE Alice Street RP 16R8525 Part 1. This involves severing approximately 0.25 ha from the subject lands in order to create one new residential building lot with approximately 19m of frontage on Alice Street East. The retained parcel would be approximately 0.7 ha in size and would maintain 50m of frontage on Louisa Street East.

It is my understanding that this proposal has identified over 80 trees on town property to be cut down. These trees have been identified by the land owner's surveyor. The majority of these trees are mature trees. As a citizen of Thornbury, it concerns me that Planning & Development Services would not be working towards saving trees in our community.

The opening of the Alice Street East road allowance would have a detrimental impact on the Beaver River Trail. The removal of these trees would have a huge negative environmental impact. This section of the Beaver River Trail is a vital wildlife corridor which the town has identified with signage to this effect on this section of the trail. The corridor is home to multiple bird species. In addition, there is a significant fern bog in the corridor which needs to be preserved. This pathway is one of the few remaining natural pathways still in existence on the East side of the Beaver River. In view of the town's aim to increase the urban tree canopy, this proposal deeply concerns me.

The plan on this permit application gives the property owner the option to access his building lot via a continuation of Wellington Street where it meets Louisa Street East. This would prevent the massive forest destruction and loss of wildlife that depend on this wildlife corridor.

This is a much loved space on the Beaver River Trail and is used by walkers, joggers, and cyclists. If this application is uncontested, the deadline of July 17th for you to make a decision is extremely short notice. You have the opportunity to ensure that this valued wildlife corridor remains a green space.

Yours truly

Donna Kearns



From: [Clinton Stredwick - Environmental Planner](#)
To: [Planning General](#)
Cc: [Alex Maxwell](#)
Subject: GSCA Comments for B06-24,B09-24,B10-24,B11-24,B12-24,B13-24,B14-24,B15-24
Date: July 16, 2024 10:36:08 PM
Attachments: [image001.png](#)
[image002.png](#)

The GSCA has had an opportunity to review the various files listed above and have the following comments:

Application B06-24 the GSCA has no concerns as there is no Natural Hazard or Regulated area affecting the consent.

Application B09-24 the GSCA has no concerns as there is no Natural Hazards or Regulated area affecting the consent.

Applications B10-24,B11-24 &B12-24 the GSCA has no concerns as there is no Natural Hazards or Regulated area affecting the consent.

Applications B13-24 and B14-24 are within the NVCA jurisdiction so the GSCA is unable to comment.

Application B15-24 the GSCA has no concerns as there is no Natural Hazards or Regulated area affecting the consent.

Kind regards,

Clinton Stredwick, BES, MCIP, RPP
Environmental Planner

519.376.3076
237897 Inglis Falls Road
Owen Sound, ON N4K 5N6
www.greysauble.on.ca



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Mr. Adam Smith
Director of Planning and Development Services
Town of The Blue Mountains
Thornbury, Ontario

Email: asmith@thebluemountains.ca
Cc: townclerk@thebluemountains.ca

Re: Beaver River Trail – Importance of Tree Canopy Protection
Notice of Complete Application and Decision Date – B09-2924

Dear Mr. Smith:

Residents of the Town of the Blue Mountains have repeatedly and overwhelmingly expressed their concerns regarding the preservation of trees and natural spaces in our town. Several Town policy initiatives, including the Blue Mountains Future Story, the Natural Heritage Study, the Natural Asset Inventory, and the current Official Plan Review, to name a few, reflect this priority. Residents are consistently directing the Town to conserve, protect and enhance our tree canopy.

Trees are not replaceable. They take many, many years to reach the stage when they provide a full range of rich and diverse natural system benefits. The trees along the Beaver River Trail offer an excellent example of a mature, irreplaceable tree canopy. All of the standard options for replacement – including large-spaced trees and enhanced replacement ratios – cannot possibly replace these invaluable benefits, unless you have a time machine. The above referenced application, through the proposed opening of the Alice Street road allowance, would result in the loss of many irreplaceable trees, including several old, but still very vibrant oak trees.

There are other alternatives to provide access to the proposed new lot that the Town and the applicant can pursue that avoids the destruction of a valuable forest grove on public land. The Town has control over this road allowance and the ability to work with the applicant to pursue alternatives. For this reason, Tree Trust contests the requested approval of a development lot that is associated with the opening up of the Alice Street East road allowance.

Kind regards,

Betty Muise
Founder, Tree Trust TBM

From: [Carrie Fairley](#)
To: [Eleanor Ward](#)
Cc: [Manuel Rivera](#); [Planning General](#)
Subject: RE: Don't allow severance of Alice St East
Date: August 12, 2024 8:59:01 AM

Good morning, Eleanor,

I acknowledge receipt of your email below regarding Consent Application B09-2024 and confirm that same has been forwarded to the Committee Members in full and a summary will be read aloud at the meeting.

Have a nice day.

Carrie Fairley
Executive Assistant to Committees of Council
Secretary-Treasurer to Committee of Adjustment
Town of The Blue Mountains, 32 Mill Street, P.O. Box 310, Thornbury, ON N0H 2P0
Tel: 519-599-3131 ext. 219| Fax: 519-599-7723
Email: cfairley@thebluemountains.ca | Website: www.thebluemountains.ca

As part of providing accessible customer service, please let me know if you have any accommodation needs or require communication support or alternate formats.

-----Original Message-----

From: Eleanor Ward <[\[REDACTED\]](#)>
Sent: Friday, August 9, 2024 12:17 PM
To: Carrie Fairley <cfairley@thebluemountains.ca>
Subject: Don't allow severance of Alice St East

Mature trees are critical in this time of climate change. Too many mature trees have already been cut down in the Blue Mountains. This needs to be stopped. The trees on the property in question, part of the Beaver River trail, need to be preserved. Many are very old and healthy and are needed to provide shade and soak up heavy rainfall. Please don't allow these trees to disappear.

Regards,
Eleanor Ward
Sent from my iPad