



Staff Report

Planning & Development Services – Planning Division

Report To: Committee of Adjustment
Meeting Date: January 15, 2025
Report Number: PBS.25.008
Title: Recommendation Report – Consent for New Lot B09-2024 – Part 1, 16R8525 (Elmes)
Prepared by: Shawn Postma, Manager of Community Planning

A. Recommendations

THAT the Committee of Adjustment receive Staff Report PBS.25.008, entitled “Recommendation Report – Consent for New Lot B09-2024 – Part 1, 16R8525 (Elmes)”;

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

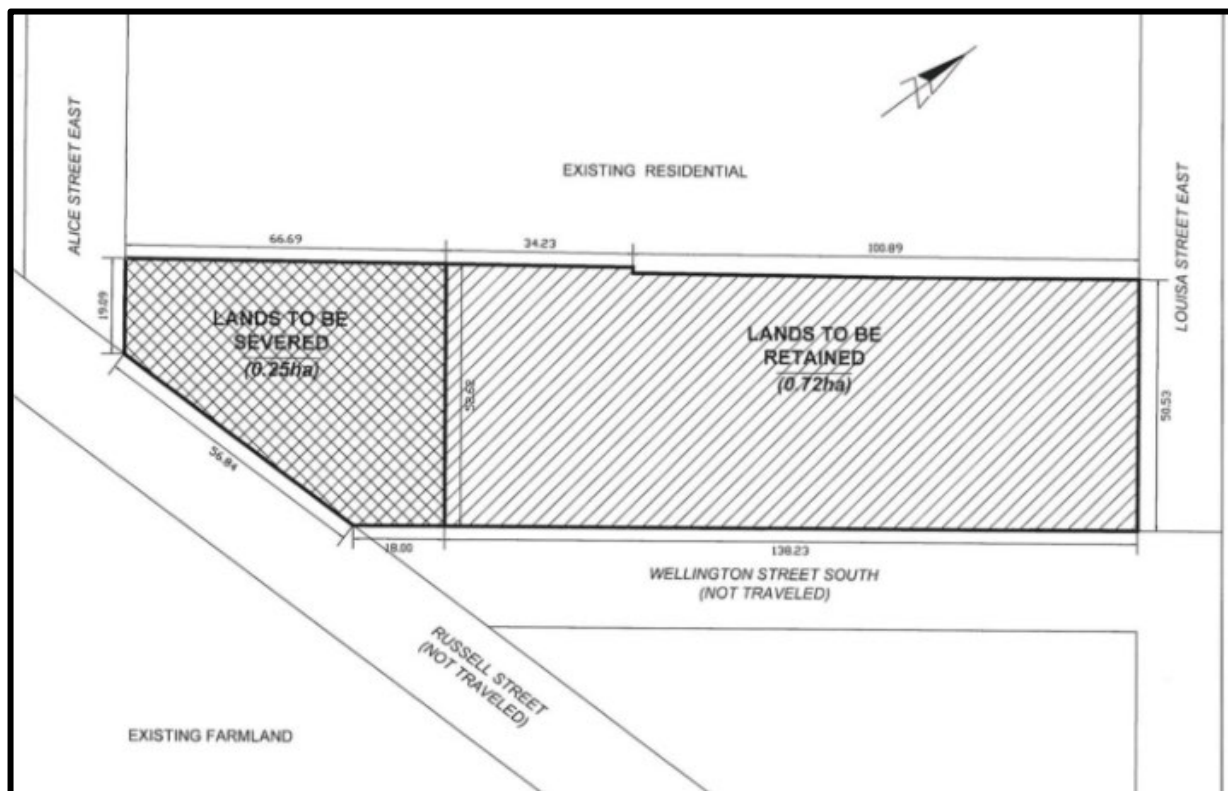
1. That the Applicant meets all the requirements of the Town, financial and otherwise, for the Certificate of Consent to be issued.
2. That the Applicant provide payment of cash-in-lieu of parkland dedication for the severed lot, or 5% of its appraised value, to the satisfaction of the Town of The Blue 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. 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 Alice Street right-of-way shall not be used to satisfy Conditions 5 and 6.
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. Background

The Town received 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, 57 metres on Russell Street, and 18 metres on Wellington Street South. The retained parcel would have a frontage of approximately 50.5 metres on Louisa Street East, and 140 metres on Wellington Street. It is noted that only the Louisa Street frontage has access to an open and maintained year road municipal road. (See Figure 1: Consent Sketch)

Figure 1: Consent Sketch



The application is a resubmission of a previous Consent Application B08-2022 that was granted provisional consent and expired before the conditions could be satisfied and the new lot registered. Staff Report [PDS.24.102](#) and Staff Report [PDS.22.069](#) have been previously provided to the Committee of Adjustment and contain additional background information on the previous and current file. The purpose of this Staff Report is to provide the Committee with an update on the status of the Alice Street right-of-way which has been the primary concern related to this new lot creation.

The severed parcel has proposed a new driveway and water/sewer service extensions off of the Alice Street right-of-way. The Blue Mountains Zoning By-law 2018-65 (Section 4.15) requires that a lot shall have frontage onto a year-round open and maintained public road before a building permit for a new dwelling is allowed. This requirement is to ensure that all properties containing a dwelling has safe and adequate access to the road network. In this case, the proposed lot on the proposed severed parcel does not have access to a public road, and therefore access must be provided as a condition of consent before the new lot can be created. The 2022 consent application included a condition that required the upgrade and extension of Alice Street East to provide this access. This condition was carried forward again with the 2024 application, however renewed concerns regarding tree removal and use of potential alternative access points were raised. The 2024 application as considered by the Committee of Adjustment was heard in August 2024 and ultimately deferred by the Committee as follows:

THAT the Committee of Adjustment DEFERS Consent Application B09-2024 for 90 days, pending presentation to the Committee of agreement(s) with the town for access to an open and maintained municipal road.

The decision of Committee required that the applicant come back to the Committee with additional information on the required road extension and new trail entrance. It being noted that the proposed works on the Alice Street right-of-way includes the extension of the Municipal Road, underground services, and roadside ditch to a point 6 metres beyond the proposed driveway entrance to the new lot. The extension of municipal roads is subject to Town approval and is delegated to Staff. Road extensions are subject to meeting Town Engineering Standards and subject to entering into a Municipal Land Use Agreement.

In response to the Committee decision, and to also address the proposed conditions of Consent, the applicant has provided the Town with a Tree Inventory Plan that includes a functional engineering design drawing for the road extension that also identifies all tree locations/sizing including removal/preservation notes, municipal road extension design, required grading/ditch works, new driveway location, trail entrance, and other details. (See Attachment #3)

At the same time, resident and special interest group delegations were submitted to Town Council in December 2024 objecting to the use of the Alice Street right-of-way for the municipal road extension. Concerns related to tree removal and trail entrance modifications were raised. Staff Report [PDS.24.154](#) was provided by Town Staff to provide Council with options on the Alice Street right-of-way. Ultimately Council passed the following resolution:

THAT Council receive Staff Report PDS.24.154, entitled "Municipal Land Use Agreement for Alice Street Unopened Road Allowance";

*AND THAT Council **does not** support the execution of a Municipal Land Use Agreement for the upgrade of Alice Street East to municipal standards in order to provide lot frontage and access to a proposed lot through Consent Application B09-2024.*

Based on the resolution above, the Alice Street right-of-way is no longer available to be used to provide access to the proposed new lot. Town Staff will not enter into a Municipal Land Use Agreement on Alice Street.

With Alice Street no longer a viable access to the proposed new lot, an alternative solution to providing access must be evaluated. Based on the location of the proposed lot, the extension of Wellington Street South built to municipal standards including any necessary intersection upgrades at Lousia Street East, a potential cul-de-sac bulb at the terminus of the new road, and new trail access point could be considered. It is unclear if a portion of the intersection of Russell Street/Wellington Street right-of-way may be needed to accommodate the required road extension. It is noted that Wellington Street right-of-way is where the main Beaver River Trail is located. Alternative modes of access could include consideration of applications for minor variance plus consent for an easement to allow a private driveway to extend over the retained lands or Wellington Street to access the new lot. Other options may be available however have not been examined in greater detail at this time.

C. Analysis

Analysis of Consent File B09-2024 has been provided by way of previous Staff Reports PDS.24.102 and PDS.22.069 (Attachment #1 and #2).

Based on the previous planning analysis completed under those reports, and the Council direction received on the use of Alice Street for access, it is Planning Staffs opinion that the proposed new lot still has merit and can be considered for severance subject to the previous conditions of consent as modified to strictly limit access to not use the Alice Street right-of-way. Based on the comments above, Planning Staff could support the creation of a new lot through the upgrade of Wellington Street South to municipal standards. The road extension would also provide road frontage to the remainder of the retained lands which could also be subdivided or otherwise developed in accordance with the Official Plan.

The option to consider a proposed easement over the retained lands will require further review and supporting information, as Staff have concerns about the impact that an easement may have on the future development potential of the retained lands. It is noted that both the Residential 'R1-1' Zone and the Development 'D' Zone permit the development of one single detached dwelling on one lot and that a proposed easement may be considered premature until such time as a more comprehensive plan is considered for the entirety of the subject lands that also includes the necessary Wellington Street South road upgrades. Similar to the easement approach, the use of a Road Agreement to allow for a temporary driveway over the Wellington Street South right-of-way until such time as the road can be brought up to municipal standards is not supported by the Town. Issues do arise in these types of agreements, and the Town generally does not enter into these types of agreements anymore.

Based on the foregoing, Planning Staff continue to support the new lot creation, with a modification to the Conditions of Approval that Alice Street right-of-way not be used to provide servicing and driveway access to the new lot.

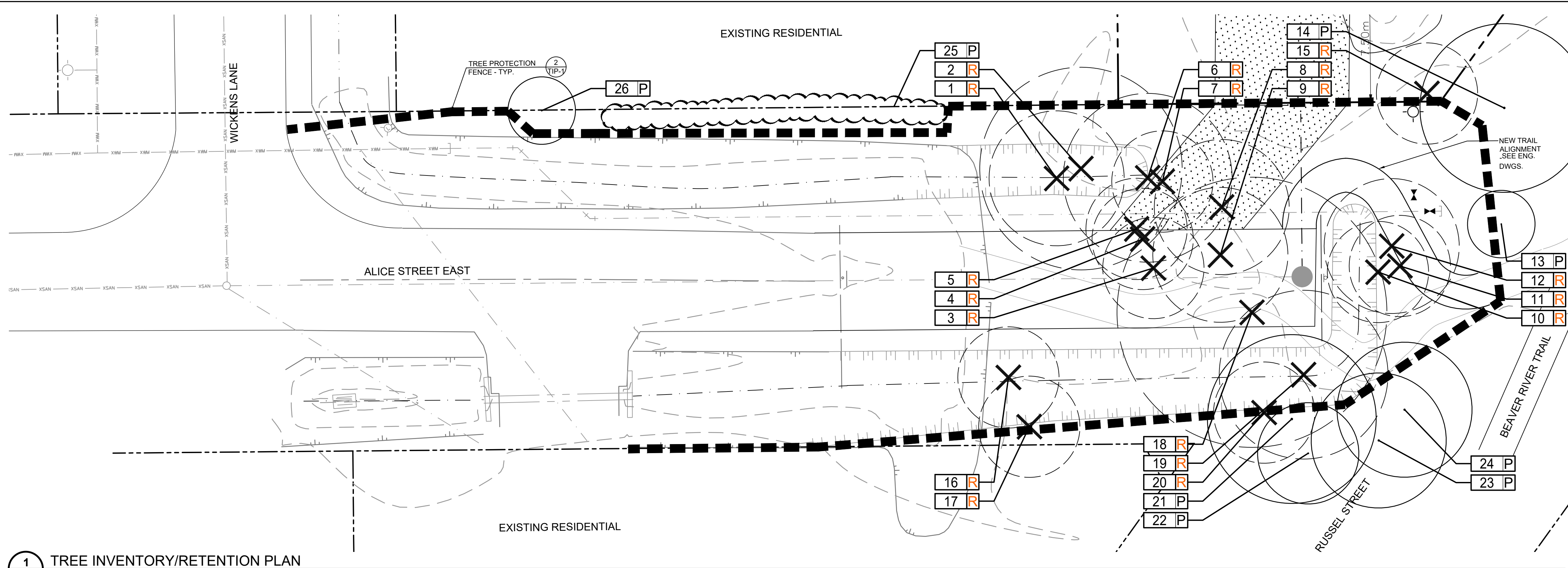
D. Attached

1. Preliminary Tree Inventory and Protection Plan
2. Draft Decision

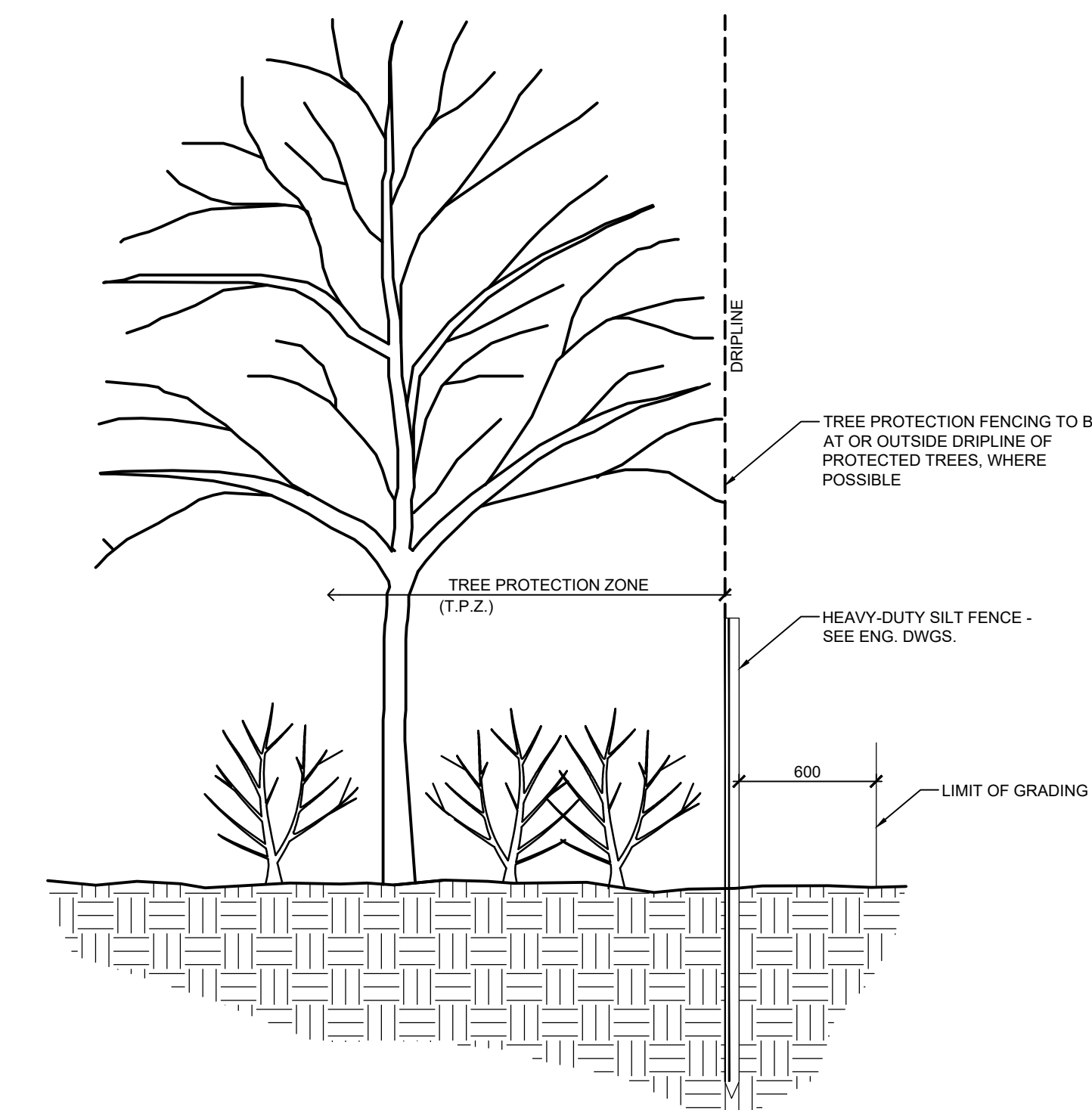
Respectfully submitted,

Shawn Postma
Manager of Community Planning

For more information, please contact:
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planning@thebluemountains.ca
519-599-3131 extension 248



1
TIP-1
TREE INVENTORY/RETENTION PLAN



2
TIP-1
TREE PROTECTION FENCE

NOTES:

1.0 TREE PROTECTION

1. INSTALL TREE PROTECTION FENCING IN LOCATIONS INDICATED IN CONTRACT DRAWINGS.
2. WHERE POSSIBLE, TREE PROTECTION FENCING LOCATION TO BE AT OR OUTSIDE THE DRIPLINE OF PROTECTED TREES, WHICH IS DEFINED AS THE CIRCLE THAT COULD BE DRAWN ON THE SOIL AROUND A TREE DIRECTLY UNDER THE TIPS OF ITS OUTERMOST AND WIDEST BRANCHES.
3. LOCATION OF TREE PROTECTION FENCE SHALL BE CONFIRMED ON-SITE BY THE LANDSCAPE ARCHITECT BEFORE COMMENCEMENT OF TREE CLEARING OPERATIONS.
2. AS PART OF THE TREE REMOVAL OPERATION ALL STEMS, LIMBS AND STUMPS SHOULD BE REMOVED FROM THE SITE.
3. THE ROOT SYSTEMS FROM ALL EXISTING VEGETATION TO BE RETAINED SHALL BE PROTECTED FROM DAMAGE, COMPACTION AND CONTAMINATION RESULTING FROM CONSTRUCTION.
10. NO STORAGE OF MATERIALS OR EQUIPMENT WITHIN THE TREE PROTECTION ZONE IS PERMITTED. NO EQUIPMENT OR MATERIALS SHALL HIT OR DAMAGE TREES DESIGNATED TO BE PRESERVED.
11. NO ROOT CUTTING OR MOVEMENT OF VEHICLES IS PERMITTED IN THE TREE PROTECTION ZONE.
12. FENCE BARRIERS MUST REMAIN IN FUNCTIONAL CONDITION UNTIL ALL SITE WORKS INCLUDING LANDSCAPING ARE COMPLETED.
13. THE CONTRACTOR SHALL REMOVE TREE PROTECTION FENCING AFTER THE COMPLETION OF ALL SITE WORKS FOLLOWING WRITTEN APPROVAL BY THE LANDSCAPE ARCHITECT.

2.0 HAZARD TREE MANAGEMENT

1. SELECTIVE REMOVAL OF HAZARDOUS TREES WITHIN THE TREE PROTECTION ZONE WILL BE DETERMINED ON-SITE BY THE LANDSCAPE ARCHITECT.
2. WHERE REMOVALS ARE REQUIRED, THE FELLING ZONE SHOULD ALLOW THE TREES TO FALL WITHOUT DAMAGE TO EXISTING STRUCTURES, OR TREES (BRANCHES & TRUNKS) TO REMAIN.
3. SHOULD NO CLEAR FELLING ZONE EXIST, THE TREE SHALL BE CUT INCREMENTALLY FROM TOP TO BOTTOM AND LOWERED TO THE GROUND WITH ROPES.
4. ANY ROOTS THAT BECOME EXPOSED DURING CONSTRUCTION SHALL BE CLEANLY CUT.

ID No.	Botanical Name	Common Name	DBH	CR	TI	CS	CV	CDB	TPZ	Action	Comments
1	Populus balsamifera	Balsam Poplar	55	4	F	F/P	F	25	4	Remove	Dead branches in canopy
2	Acer negundo	Boxelder Maple	55,10	6	p	p	p	25	6	Remove	Multi-stem, leaning
3	Ulmus americana	American Elm	19	3	F	F	F		3	Remove	One-sided, leaning
4	Acer saccharum	Sugar Maple	15	3	P	P	P		3	Remove	One-sided
5	Ulmus americana	American Elm	17	3	F	F/P	F		3	Remove	One-sided, leaning
6	Betula papyrifera	Paper Birch	23 & under	5	F	P	F		5	Remove	Multi-stem (5 stems)
7	Tilia americana	Basswood	50	3	F/P	F	F		3	Remove	Leaning
8	Acer saccharum	Sugar Maple	24,25	4	F	F	F		4	Remove	Codominant at base
9	Tilia americana	Basswood	18 - 32	6	F	F/P	F		6	Remove	Clumps of 6
10	Acer saccharum	Sugar Maple	23	3	F/G	F	F		3	Remove	
11	Acer saccharum	Sugar Maple	22	3	F/G	F	F		3	Remove	
12	Acer saccharum	Sugar Maple	27	4	P	P	P		4	Remove	
13	Prunus spp.	Cherry Spp.	17	2	P	P	P		2	Retain	One-sided. No leader
14	Tilia americana	Basswood	34	5	P	P	P	10	5	Retain	Deformed crown. No leader
15	Populus balsamifera	Balsam Poplar	61.5	3	P	P	P	75	3	Remove	Crown dead
16	Acer saccharum	Sugar Maple	18	3	P	F	F	15	3	Remove	Trunk deformity
17	Acer saccharum	Sugar Maple	23	3	F	F	F		3	Remove	
18	Quercus rubra	Red Oak	60	8	F/P	F/P	F	25	8	Remove	Dead branches, trunk split at 1.4m
19	Acer saccharum	Sugar Maple	42	5	F	F/P	F/P	30	5	Remove	Dead branches
20	Prunus spp.	Cherry Spp.	28	3	P	P	P		3	Remove	
21	Tilia americana	Basswood	54	5	F	F	F/P	25	5	Retain	Dead branches in canopy
22	Acer saccharum	Sugar Maple	18	3	F	F	F	30	3	Retain	One-sided. Dead leader
23	Ostrya virginiana	Ironwood	22	4	F/P	F	F		4	Retain	Defect on trunk flare
24	Acer saccharum	Sugar Maple	32	4	F	F	F		4	Retain	One-sided
25	Thuja occidentalis 'Nigra'	Black Cedar Hedge	~10	1	G	F	G		1	Retain	Cedar Hedge, 14 stems, on property line, shared ownership
26	Picea pungens	Colorado Blue Spruce	~30	4	G	F	G		4	Retain	On property line, shared ownership

Legend		
DBH	Diameter at Breast Height	cm
CR	Canopy Radius	m
TI	Trunk Integrity	G, F, P
CS	Crown Structure	G, F, P
CV	Crown Vigor	G, F, P
CDB	Crown Die Back	%
TPZ	Tree Protection Zone	m
~ = estimate		
G = Good, F = Fair, P = Poor		

TREE INVENTORY TABLE - R.O.W. LANDS

1. THIS DRAWING IS THE EXCLUSIVE PROPERTY OF C.F. CROZIER & ASSOCIATES INC. AND THE MODIFICATION AND/OR REPRODUCTION OF ANY PART OF THIS DRAWING IS STRICTLY PROHIBITED WITHOUT WRITTEN AUTHORIZATION FROM THIS OFFICE.
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6. DO NOT SCALE DRAWINGS.

- NOTES:
1. ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE NOTED.

Town

N.T.S.

No.	ISSUE	DATE: YYYY/MM/DD
0.	ISSUED FOR REVIEW	2024/11/05

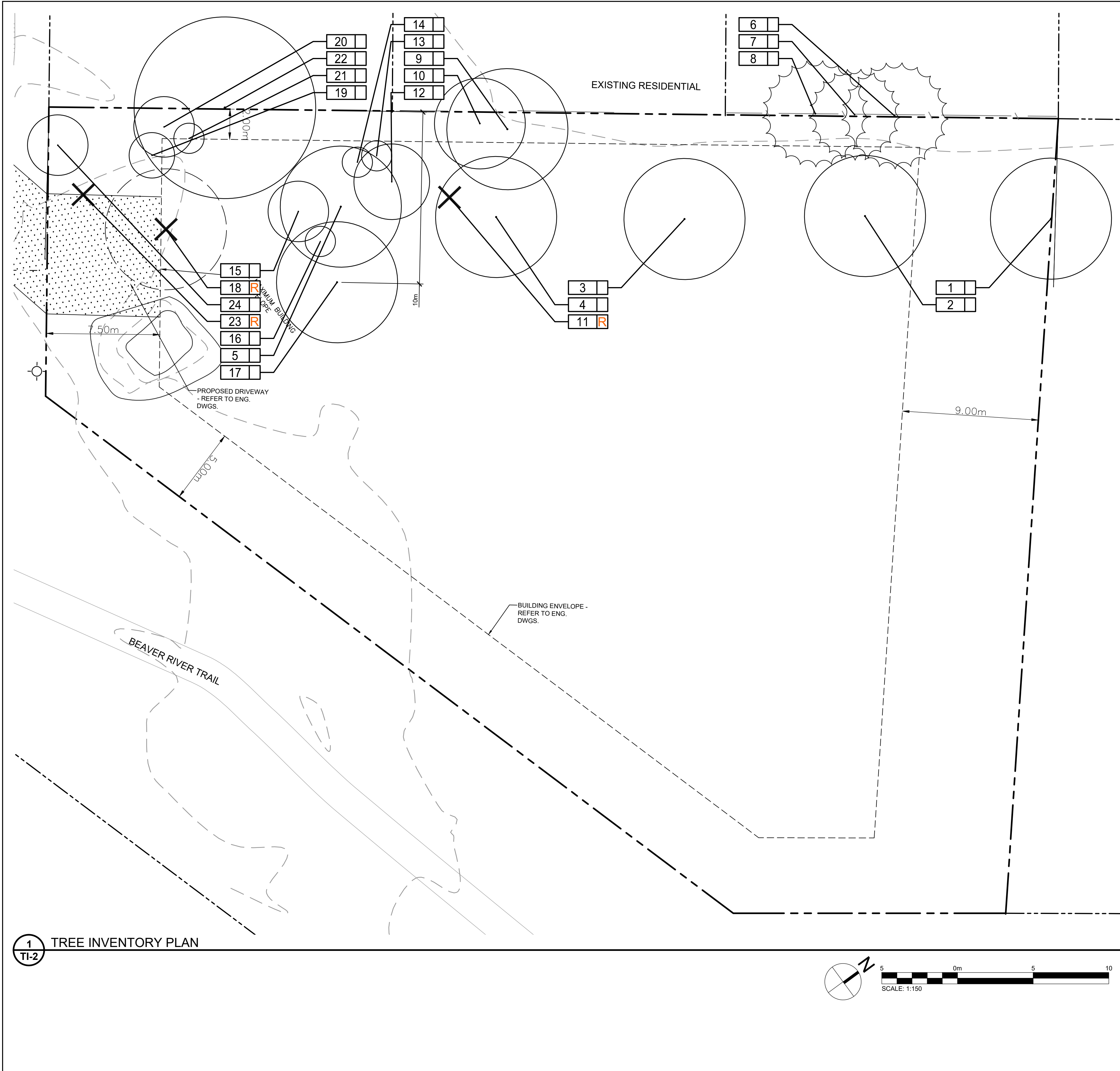


Project		ELMES CONSENT APPLICATION TOWN OF THE BLUE MOUNTAINS	
Drawing		TREE INVENTORY/RETENTION PLAN R.O.W. LANDS	
Drawn By	K.C.	Design By	K.C./A.P.
Check By	A.P.	Check By	M.C.

Project

2019-5839-2

TIP-1



ID No.	Botanical Name	Common Name	DBH	CR	TI	CS	CV	CDB	TPZ	Comments
1	Malus spp.	Apple spp.	40	4	P	F/P	P		4	Large cavities in trunk. Orchard tree
2	Malus spp.	Apple spp.	34	4	P	F/P	P		4	Orchard tree. Large cavity and decay in trunk
3	Malus spp.	Apple spp.	37	4	P	F/P	P		4	Wounds in trunk. Orchard tree
4	Malus spp.	Apple spp.	40	4	P	F/P	P		4	Wounds in trunk. Orchard tree
5	Malus spp.	Apple spp.	33	4	P	F/P	P		4	Wounds and decay on trunk. Orchard tree
6	Picea pungens	Colorado spruce	38	3.5	G	G	G/F		3.5	On property line
7	Picea pungens	Colorado spruce	31	3	G	G	G/F		3	On property line
8	Picea pungens	Colorado spruce	40	3.5	G	G	G/F		3.5	On property line
9	Betula papyrifera	Paper birch	24	4	G	G	G		4	
10	Acer saccharum	Sugar maple	22	3	G	G/F	G		3	
11	Dead		0	0					0	Top of tree removed at 3 meters. Only the stem remains. Recommend removing standing dead tree.
12	Populus balsamifera	Balsam poplar	14	2.5	F	F	F		2.5	Adjacent to more poplars
13	Quercus rubra	Red oak	9	1	G	G	G		1	
14	Rhamnus cathartica	Common buckthorn	6	1	F	F	F		1	buckthorn
15	Acer saccharum	Sugar maple	12	2	G	G	G		2	
16	Acer saccharum	Sugar maple	6	1	G	G	G		1	
17	Populus balsamifera	Balsam poplar	21	4					4	
18	Populus balsamifera	Balsam poplar	46	4	F/P	F	F/P		4	leaning to the south. Adjacent to more poplars. Recommend removing due to condition and proposed driveway.
19	Rhamnus cathartica	Common buckthorn	9	1.5	F	F	F		1.5	Invasive
20	Acer saccharum	Sugar maple	12	2					2	
21	Rhamnus cathartica	Common buckthorn	8	1	F	F	F		1	Invasive
22	Betula papyrifera	Paper birch	~30	6	G/F	G/F	G		6	5 stems all roughly the same size. On the property line
23	Dead		0	0					0	Only the stump remains. Recommend removing standing dead tree.
24	Rhamnus cathartica	Common buckthorn	13	2	F	F	F		2	Invasive

Legend		
DBH	Diameter at Breast Height	cm
CR	Canopy Radius	m
TI	Trunk Integrity	G, F, P
CS	Crown Structure	G, F, P
CV	Crown Vigor	G, F, P
CDB	Crown Die Back	%
TPZ	Tree Protection Zone	m
~ = estimate		
G = Good, F = Fair, P = Poor		

TREE INVENTORY TABLE - PRIVATE LANDS

TREE INVENTORY NOTES:

GENERAL

- All existing trees at property boundaries and on adjacent properties shall be preserved and protected. Where trees which that are located at shared property boundaries or on adjacent properties are identified by this plan to sustain injury or require removal, the Owner of the adjacent property's written permission is required prior to any construction or removals works commence.
- The Site Plan for the future single detached dwelling has not been prepared and subject to approval via building permit.
- On sheet TI-2, only trees 10m from the shared property boundary line have been inventoried.

TREE PROTECTION FENCING

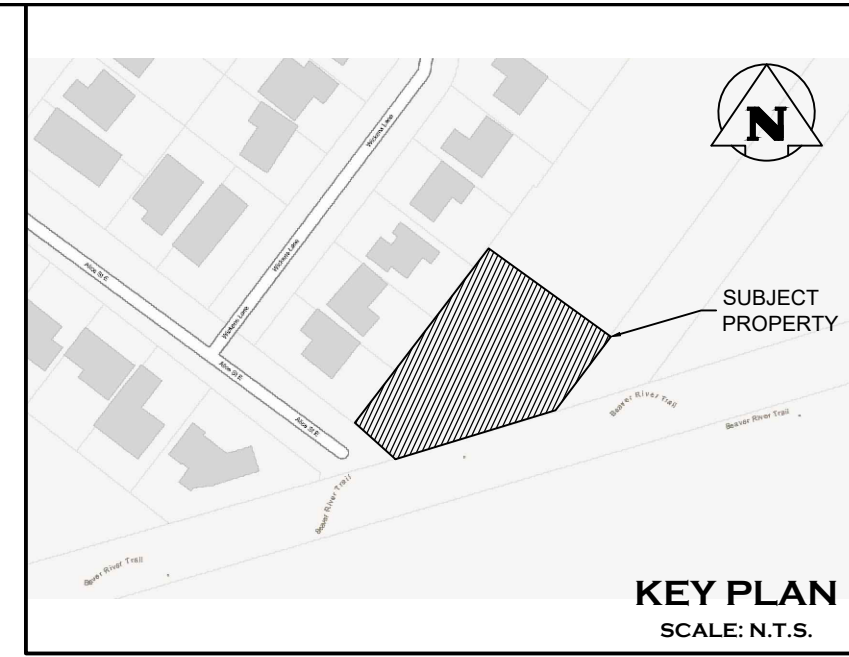
- The Contractor shall install Tree Protection Fencing (TPF) to protect trees identified for preservation.
- No substitutions of materials, products or quantities will be accepted without the prior written permission of the Project Arborist.
- Upon installation of the TPF, the Contractor shall contact the Project Arborist to review and approve the fencing and location(s) in writing prior to commencement of any site work.
- The TPF shall remain in the approved locations throughout the duration of the site works and shall not be moved at any time to accommodate construction or site work.
- The Contractor shall inspect TPF weekly and maintain as required through all stages of development/construction. The TPF shall be removed at the completion of all site works and disturbed areas shall be restored to original condition.

TREE PRESERVATION

- The Tree Protection Zone (TPZ) is protected and delineated by the TPF or as otherwise defined. The Contractor is not to proceed in uncertainty.
- Any potential or incurred injury/damage to adjacent tree(s) identified to be preserved shall be immediately reported to the Project Arborist and reviewed on site. Injury/damage includes any required arboricultural treatment including but not limited to: limb pruning, trunk damage, root exposure or required cutting/removal or any other activity that has the potential to harm the tree.
- The TPZ is not to be used for any type of storage including materials, equipment or stockpiles.
- No trenching or tunneling for underground services shall occur within the TPZ.
- Any equipment use within the TPZ will be restricted throughout all stages of development. This applies to TPZs within or outside of the project limit line.
- Absolutely no alteration of grades or construction activity is permitted within the TPF and TPZ. Absolutely no flushing of contaminant shall be permitted towards or within the TPZ.
- When working adjacent to trees to be preserved site preparation measures such as pruning for overhead clearance may be required. Preparatory pruning shall only be performed when completed by or under the direct supervision of an ISA Certified Arborist (or approved qualified person as approved by the Project Arborist).
- All pruning work shall be performed by a qualified individual and shall be in accordance with current horticultural practices including but not limited to:
 - Pruning cuts shall be made just beyond the branch collar and should be limited to thinning cuts. Heading cuts will only be accepted in specific cases as directed by an arborist and should be avoided where possible.
 - Pruning of all stems greater than 50 mm in diameter should be made with a three-cut method to avoid tearing living bark tissue.
 - No wound dressings shall be applied.
- Where soil excavation/grading work is required within the rooting zone of a tree to be preserved (the rooting zone often extends beyond the identified TPZ and can be 3 times the dripline radius or more):
 - Roots shall be cleanly severed before stripping and removing soil to avoid damage to the tree and the root system. Roots to be cut using appropriate equipment (i.e. trencher adapted to this specific use/chainsaw/root pruning machine). Roots may be severed using the clean edge of a straight excavator bucket under supervision of an ISA Certified Arborist.
 - No attempts to cut existing roots with the digging bucket of any heavy machinery will be permitted as it can cause the roots to tear and pull and be harmful to root regeneration and recovery.
 - Any exposed roots of a tree to be preserved with a diameter greater than 2.5cm (1 inch) shall be pruned back to the soil face.
 - An excavation area within the TPZ shall be backfilled immediately and/or roots shall be kept constantly moist with burlap covered with white plastic and checked a minimum of 2 times a day, for a maximum of 48 hours. If roots are to be exposed for a period greater than 48 hours, the exposed area shall be covered with a minimum of 150 mm (6 inches) of mulch and maintained in a moist condition during construction until the area can be properly backfilled.
- Trees shall not have any rigging cables, fencing, signage or hardware of any sort attached or wrapped around them.
- No contaminants or toxic materials shall be dumped or flushed where they may come into contact with the feeder roots of trees to be preserved.
- The Contractor will be held responsible for all avoidable damage to preserved trees during all stages of construction.
- Watering or other maintenance of trees to be preserved may be required if construction activities are observed to be causing stress or impacting health as determined by the Project Arborist.

TREE REMOVALS

- Prior to the commencement of tree removals, all trees designated for removal must be clearly identified in the field.
- Where possible, removals, chipping, and/or brush removal is to be completed outside the window of April 1 to August 31. This window accounts for active bird nesting and bat maternity roosting periods. Where removals must occur within the restricted activity window, nest and roosting habitat assessments to protect species protected under the Migratory Birds Convention Act, 1994 and Endangered Species Act, 2007. These surveys must be completed by a qualified biologist or ornithologist.
- Trees shall always be felled away from adjacent preserved trees to prevent avoidable damage to the crowns and stems



LEGEND

- PROPERTY BOUNDARY
- LOT BOUNDARY
- EXISTING DECIDUOUS TREE TO BE REMOVED
- EXISTING DECIDUOUS TREE TO BE RETAINED OR PROTECTED
- EXISTING CONIFEROUS TREE TO BE RETAINED OR PROTECTED
- TREE ID NUMBER
- TREE TO BE REMOVED

1 TREE INVENTORY PLAN

- THIS DRAWING IS THE EXCLUSIVE PROPERTY OF C.F. CROZIER & ASSOCIATES INC. AND THE MODIFICATION AND/OR REPRODUCTION OF ANY PART OF THIS DRAWING IS STRICTLY PROHIBITED WITHOUT WRITTEN AUTHORIZATION FROM THIS OFFICE. THE DIGITAL FILES CONTAIN INTELLECTUAL AND DIGITAL DATA PROPERTY THAT IS THE EXCLUSIVE PROPERTY OF C.F. CROZIER & ASSOCIATES INC.
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- THIS DRAWING IS TO BE READ AND UNDERSTOOD IN CONJUNCTION WITH ALL OTHER PLANS AND DOCUMENTS APPLICABLE TO THIS PROJECT.
- ALL EXISTING UNDERGROUND UTILITIES TO BE VERIFIED IN THE FIELD BY THE CONTRACTOR PRIOR TO CONSTRUCTION.
- DO NOT SCALE DRAWINGS.

NOTES:

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Town

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DATE: YYYY/MM/DD
2024/11/05

ARBORIST



MATTHEW CAMPBELL
(ON-3008-A), TRAQ

Project

ELMES CONSENT APPLICATION
TOWN OF THE BLUE MOUNTAINS

Drawing

TREE INVENTORY PLAN
PRIVATE LANDS



Drawn By	K.C.	Design By	K.C./A.P.	Project	2019-5839-2
Check By	A.P.	Check By	M.C.	Drawing	TI-2



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:	To be provided by way of condition to this consent		
Servicing:	Municipal Sanitary and Water		
Decision:	<u>Grant Provisional Consent</u>		
Date of Decision:	<u>January 15, 2025</u>		

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.

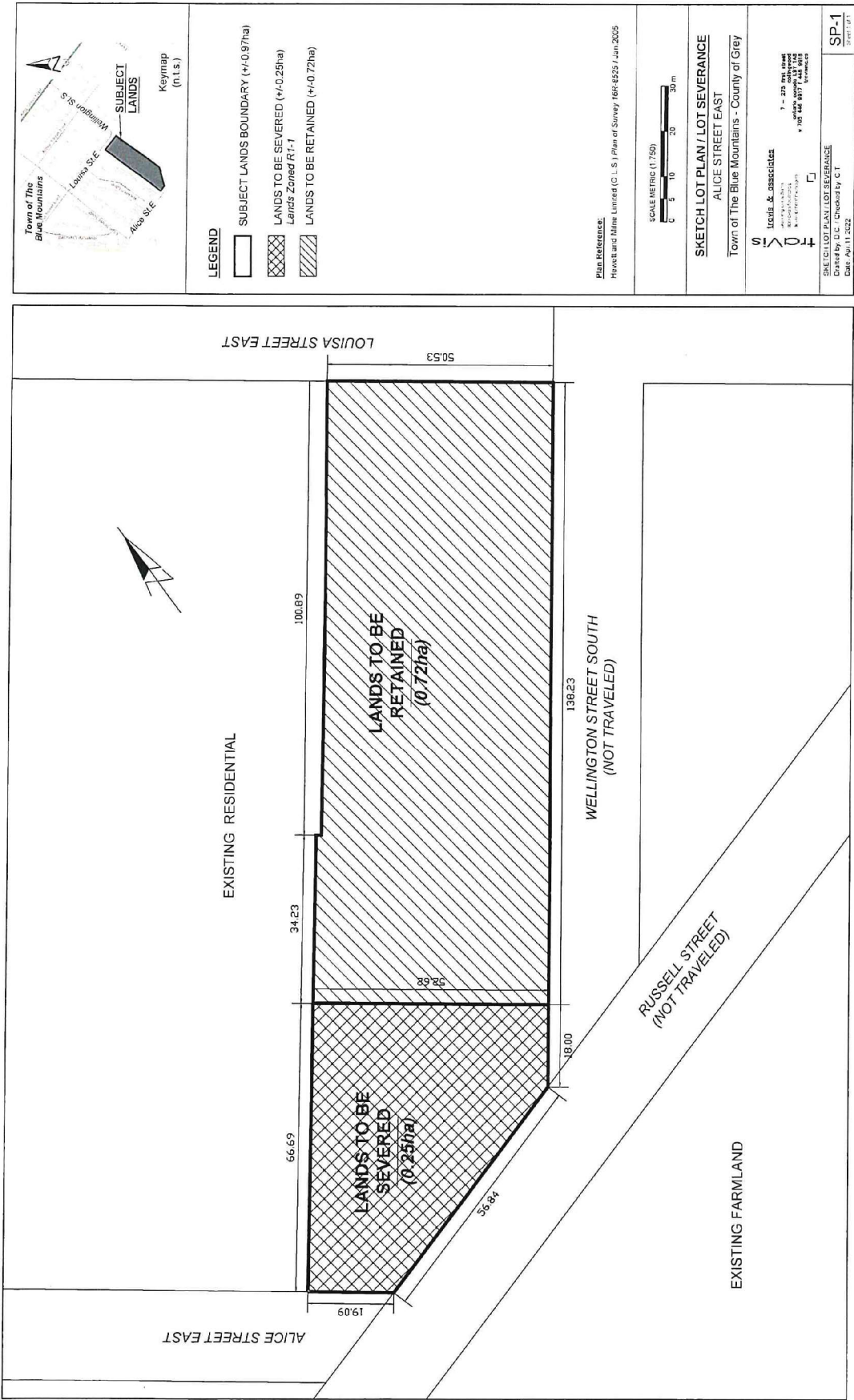
If provisional consent is given, then the following conditions must be met before the issuance of a Certificate of Official:

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. 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 Alice Street right-of-way shall not be used to satisfy Conditions 5 and 6.
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. Waind Chairman	Jim Oliver Vice Chairman	Michael Martin	Jan Pratt	Duncan McKinlay
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Dated: January 15, 2025

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: January 15, 2025

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