



Staff Report

Planning & Development Services – Planning Division

Report To: Committee of the Whole
Meeting Date: September 21, 2021
Report Number: PDS.21.105
Title: Consideration of Sale of Town Lands – Wellington Street Road Allowance (P3021)
Prepared by: Travis Sandberg, Planner II

A. Recommendations

THAT Council receive Staff Report PDS.21.105, entitled “Consideration of Sale of Town Lands – Wellington Street Road Allowance (P3021)”;

AND THAT Council direct staff to proceed with all necessary processes required to consider disposal of a portion of the unopened Wellington Street North Right-of-Way in accordance with the Town’s Sale and Disposal of Land Policy (POL.COR.07.02); including the required Public consultation.

B. Overview

This report provides an overview of staff’s review of a request to purchase Town lands, being a portion of the unopened Wellington Street Road Allowance located adjacent to Lot 46, Plan 410 (151 Bay Street East). Staff have assessed the subject lands characteristics, strategic value, and importance to Town interests through a standardized internal process. Staff have determined that there is merit with disposing the lands as they are deemed surplus to the Town’s needs.

C. Background

The original Wellington Street North Road Allowance remains unopened as is located between 151 Bay Street East and 161 Bay Street East. The lands that are subject to this report (i.e., the “Subject Lands”) are a portion of the unopened road allowance shown in Figure 1 and are approximately 1,000sq.m. in area (20m wide and 50m deep). Full municipal services are available to the lands.

The properties on either side of the Subject Lands and are currently developed for single detached residential uses. The property abutting to the south of the Subject Lands is currently developed for general employment uses and is the site of Breaker Technologies Inc. (BTI).

In June of 2021, the owner of 151 Bay Street East (Helen Kimble) submitted a request to the Town to potentially purchase the Subject Lands. Her proposal can be summarized as follows;

1. Purchase the Subject Lands and become part of her lot.
2. Purchase half of the Subject Lands and the other adjacent property owner purchase the other half.
3. Have the Town grant her lands a right-of-way/easement over the Subject Lands for access.
4. Grant her first right of refusal in writing should the Town decide not to sell the Subject Lands at this time.

Upon consideration, Council passed the following motion:

“THAT Council of the Town of The Blue Mountains receives for information the deputation material from Helen Kimble regarding her request to purchase the Wellington Street Road Allowance located adjacent to Lot 46, Plan 410 (151 Bay Street East), and refers the request to the Planning Department for a report to Council for consideration.”

Planning Staff have coordinated an internal review of the Subject Lands in accordance with a standardized form/protocol involving various departments within the Town.

Figure 1: Aerial View



D. Analysis

As a result of this review, it appears that the Subject Lands have no known municipal infrastructure located on them and do not serve a functional drainage purpose. When consulted, the Town's internal Departments did not indicate that the lands should be retained by the Town or had any long-term strategic value. Furthermore, since the other portions of this road allowance have been either previously been transferred (to Breaker Technologies Inc.) or have been recently determined to be surplus and to be transferred to abutting owners (per Staff Report PDS.21.019 dated April 20, 2021), the Subject Lands have very limited long-term strategic value for the Town as an actual road allowance. It is generally noted that the current driveway accessing 151 Bay Street East is located within the Subject Lands.

County of Grey Official Plan, 2018

The Subject Lands are located within the *Primary Settlement Area* designation of the County of Grey Official Plan, 2018, as applies to the Town of Thornbury. No further constraints, including natural heritage features, are identified on the lands or within 120m thereof.

Primary Settlement Areas are the main focus for growth and development in the County and are suitable for high intensification targets, public transit services, and have full municipal services. The County Plan promotes the development of these areas for a full range of residential, commercial, industrial, recreational, and institutional land uses. A minimum development density of 20 units per net hectare is required for all new (residential) development in the *Primary Settlement Area* designation. It is noted that full municipal sewer and water services are available at the property frontage.

Town of The Blue Mountains Official Plan, 2016

The Subject Lands are located within the *Community Living Area* designation of the Town of The Blue Mountains Official Plan, 2016. This designation applies to lands in the Thornbury-Clarksburg Settlement Area on full municipal services and permits a wide-range of residential uses. It is the intent of the Plan to maintain compatibility of existing residential areas, to encourage the provision of a full range of housing opportunities to meet the Town's housing needs, and to promote the efficient use of existing and planned infrastructure by creating the opportunity for residential intensification, where appropriate. No natural hazards, natural heritage features, or other constraints are identified on the lands or within 120m thereof.

Zoning By-law 2018-65

Part 2.4(c) of Zoning By-law 2018-65 states that "a [zone] boundary indicated as following a lot line abutting an unopened road allowance shall follow the centreline of such road allowance". As each of the abutting properties are currently zoned R1-1, per Schedule 'A' of the By-law, it is reasonable to evaluate/review the Subject Lands in accordance with the R1-1 zone provisions.

The permitted uses and applicable performance standards for the R1-1 zone are outlined in Table 6.1 and Table 6.2.1 of the By-law, as are provided below. In review of the performance standards outlined in Table 6.2.1, it is noted that the Subject Lands would exceed the minimum

lot area and frontage requirements for the R1-1 zone. More specifically, the subject lands would have a lot frontage of approximately 20m onto Bay Street, where a minimum of 18m is required, and would have a lot area of approximately 1,000sq.m., whereas a minimum of 550sq.m. is required.

Given the size and dimensions of the Subject Lands, Planning Staff note that they would meet the requirements for a new residential building lot and could facilitate the construction of one (1) new Single Detached Dwelling Unit, and accessory uses and buildings thereto. It is further noted that the resulting parcel would reflect the general size and dimension of existing lots of record within the immediate area.

Table 6.1 – Residential Zone Use Permissions

Permitted Use	R1	R2	R3
<i>Accessory apartment</i>	X	X	
<i>Apartment building</i>			X
<i>Duplex dwelling</i>		X	
<i>Group home</i>	X		
<i>Home child care</i>	X	X	X
<i>Home industry</i>			
<i>Home business</i>	X	X	X
<i>Multiple dwelling</i>		X	
<i>Retirement home</i>			X
<i>Rowhouse Dwelling</i>		X	
<i>Semi-detached dwelling</i>		X	
<i>Single detached dwelling</i>	X		
<i>Townhouse dwelling</i>		X	
<i>Triplex dwelling</i>		X	

Table 6.2.1 – Residential Zone Standards (Part A)

Zone Standard	R1-1	R1-2	R1-3	R1-4	R1-5
Minimum <i>lot area</i> (m ²)	550	450	360	2,000	1,390
Maximum lot coverage	30%	35%	40%	20%	N/A
Minimum <i>lot frontage</i> (m)	18.0	15.0	12.0	30.0	24.0
Minimum <i>front yard</i> (m)	7.5	6.0	6.0	9.0	9.0
Minimum <i>exterior side yard</i> (m)	5.0	2.4	2.4	9.0	7.5
Minimum <i>interior side yard</i> (m)	2.0	1.2 (1)	1.2(1)	5.0	3.0
Minimum <i>rear yard</i> (m)	9.0	6.0	6.0	7.5	9.0
Maximum <i>height</i> (m)	9.5	8.0		9.5	
Maximum <i>height</i> (storeys)	2.5	2.0		2.5	

Other Considerations

The Subject Lands are located within the potential influence area of Breaker Technologies Inc., which is zoned and designated as an industrial use in accordance with the Town's Zoning By-law and Official Plan. In accordance with the Provinces Land Use Compatibility Guidelines, a relevant review of the potential impacts of the industrial use may have to be considered under

the D-6 Guidelines (“*Compatibility between Industrial Facilities*”), should the Subject Lands be considered for a “new” residential building lot.

The Options

Based on the above analysis Council should consider two options.

Option A: Disposing the Subject Lands per the June 2021 request made by Helen Kimble being:

1. Helen Kimble purchases the Subject Lands and it becomes part of her lot, or
2. Helen Kimble purchases half of the Subject Lands and the other adjacent property owner purchases the other half.

Option B: Disposing the Subject Lands as an infill lot for residential purposes.

Conclusions

Regardless of the Option selected above it has been determined by Staff that the Subject Lands serve no long-term strategic value for the municipality.

Staff recommend that the next step would be to begin the formal process of declaring the lands surplus and disposing of the lands in accordance with the Town’s Sale and Disposition of Land Policy (POL.COR.07.02). This process will involve Notice to the public and an appraisal of the value of the Subject Lands by an accredited appraiser selected by the Town. The cost of the appraisal is typical borne at the expense of a benefitting party.

A bylaw to Stop Up and Close the Road allowance and declare the lands surplus may also need to be brought to Council at a date in the future following appropriate Public notice being provided in accordance with Corporate Policy POL.COR.07.02.

E. Strategic Priorities

4. Quality of Life

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

F. Environmental Impacts

There are no direct environmental impacts associated with this Report.

G. Financial Impacts

Additional funds from the potential sale of the Subject Lands will benefit the municipality.

H. In Consultation With

Internal Departments through the circulation of the request through the standardized process/protocol.

I. Public Engagement

The topic of this Staff Report has not been the subject of a Public Meeting and/or a Public Information Centre as neither a Public Meeting nor a Public Information Centre are required. However, per the Town's Sale and Disposition of Land Policy (POL.COR.07.02) a Notice to the public will be required. Any comments regarding this report should be submitted to Travis Sandberg, planning@thebluemountains.ca

J. Attached

None.

Respectfully submitted,

Travis Sandberg
Planner II

Trevor Houghton, RPP MCIP
Manager of Community Planning

Nathan Westendorp, RPP MCIP
Director of Planning and Development Services

For more information, please contact:

Travis Sandberg, Planner II
planning@thebluemountains.ca
519-599-3131 extension 283

Report Approval Details

Document Title:	PDS.21.105 Consideration of Sale of Town Lands - Wellington Street Road Allowance (P3021).docx
Attachments:	
Final Approval Date:	Sep 13, 2021

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

Trevor Houghton - Aug 30, 2021 - 1:25 PM

Nathan Westendorp - Sep 13, 2021 - 3:32 PM