



# Staff Report

## Planning & Development Services – Planning Division

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**Report To:** Committee of the Whole Meeting  
**Meeting Date:** September 27, 2022  
**Report Number:** PDS.22.118  
**Title:** Recommendation Report – Holding ‘h’ Removal – Phase 4, Block 39 (P3160)  
**Prepared by:** Travis Sandberg, Intermediate Planner

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### A. Recommendations

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THAT Council receive Staff Report PDS.22.118, entitled “Recommendation Report – Holding ‘h’ Removal – Phase 4, Block 39 (P3160)”;

AND THAT Council enact a Zoning By-law Amendment to remove the Holding ‘h’ Symbol in its entirety from those lands described as Block 39, Plan 16M-83, also known as Lora Bay Phase 4, Block 39.

### B. Overview

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The purpose of this report is to provide review and recommendation to Council to authorize the removal of the Holding (‘h7’) symbol from the lands legal described as Block 39, Plan 16M-83, and referred to as Lora Bay Phase 4, Block 39. The Removal of the Holding Symbol will facilitate the issuance of Building Permits to allow for the construction of residential dwelling units in accordance with the Official Plan, Zoning By-law, and the executed Site Plan Agreement.

### C. Background

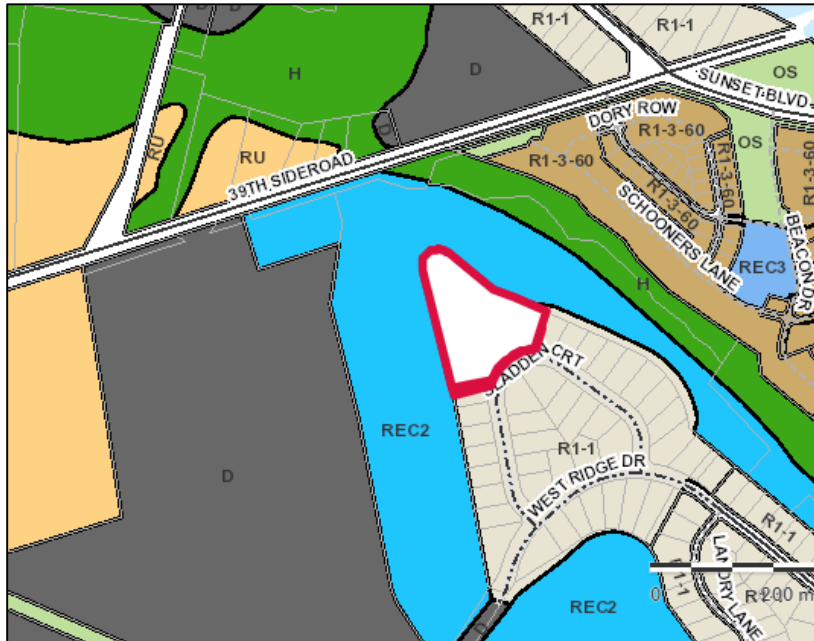
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The Town received an application from the property owner of the Subject Lands requesting removal of the Holding (‘h7’) symbol to allow building permits to be issued for the construction of thirty-three (33) residential townhouse units on the subject lands in accordance with the provisions of the R2-113 zone of Zoning By-law 2018-65, and the Site Plan Approval granted by the Town on August 30, 2022.

#### Location

The subject lands are located within the Lora Bay Development Plan area and was originally contemplated for development as Block 39 through the review of the Draft Plan of Subdivision for the Phase 4 lands.

**Figure 1: Location Key Map**



#### Site Plan Approval

The subject lands received Site Plan Approval from the Town on August 30, 2022, which outlines the approved development for the lands. The Site Plan Drawings are attached and provide for the development of thirty-three (33) residential townhouse units. The development is to proceed via the terms of the executed Site Plan Agreement as a standard condominium plan. The condominium corporation will be established through approval of the County of Grey, in accordance with the *Condominium Act*.

A Site Plan Agreement was executed by the Town for the development of the lands on September 7, 2022. The Accepted for Construction drawings are contained in the Agreement. An appropriate letter of credit and certificate of insurance have also been provided in accordance with the requirements of the Agreement.

#### Current Application

The Owner has made application to remove the Holding 'h7' symbol from the subject lands to allow for the issuance of Building Permits for the residential dwelling units. As a pre-condition to the issuance of Building Permits, it is required to remove the Holding '-h7' through enactment of an Amending Zoning By-law approved by Council.

In accordance with Part 10.2.7 of the Zoning By-law, the Holding '-h7' provision applies to lands that have received Zoning Approval and/or Draft Plan Approval for a future Plan of Condominium. The Holding '-h7' symbol may be lifted upon the following:

- i) Execution of a Development Agreement
- ii) Granting of Site Plan Approval or the Registration of a Plan of Condominium

## **D. Analysis**

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The lands are zoned Residential 'R2-113-h7' in the Town of The Blue Mountains Zoning By-law 2018-65. The R2 zone category permits the construction of semi-detached, duplex, townhouse, tri-plex, and multiple unit residential dwelling units, and accessory structures and uses thereto. Exception 113 specifically prohibits Short Term Accommodation Uses.

The Holding '-h7' symbol requires the Execution of a Development Agreement and the granting of Site Plan Approval or the Registration of a Plan of Condominium to be completed prior to building permits being issued for new dwelling units.

Planning Staff are satisfied that the requirements to lift the Holding '-h7' symbol from the lands have been met. A Site Plan Agreement was executed by the Town on September 7, 2022, and Site Plan Approval was granted on August 30, 2022.

Holding '-h' symbols can only be removed by Council by way of By-law. A draft Holding '-h7' Removal By-law is attached to this report (see Attachment 2).

## **E. Strategic Priorities**

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### **3. Community**

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

### **4. Quality of Life**

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

## **F. Environmental Impacts**

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Environmental Impacts, if any, would have been reviewed by Town Staff and Conservation Authority Staff as part of the earlier Subdivision review and approvals process and are mitigated in the Accepted For Construction design.

## **G. Financial Impacts**

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Financial obligations related to this development were collected at time of the Subdivision Agreement.

It is noted that Municipal Development Charges for the service categories in By-law 2014-51, excluding for Roads and Related, Waterworks System and Sanitary Sewage System service categories, shall be paid by the Lot Owner at the time a Building Permit is issued, in accordance with the registered Agreement.

A decision by a municipality not to remove a Holding symbol may be subject to an appeal to the Ontario Land Tribunal (OLT) by the applicant only. Depending on the scope of the appeal and the Town's involvement in such proceedings, additional financial obligations may be required.

## **H. In Consultation With**

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Adam Smith, Director of Planning and Development Services

## **I. Public Engagement**

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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, any comments regarding this report should be submitted to Travis Sandberg, [planning@thebluemountains.ca](mailto:planning@thebluemountains.ca)

## **J. Attached**

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1. Accepted for Construction Drawings
2. Draft Holding 'h' Removal By-law

Respectfully submitted,

Travis Sandberg  
Intermediate Planner

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

### Report Approval Details

Document Title:	PDS.22.118 Recommendation Report - Holding 'h' Removal - Phase 4, Block 39 (P3160).docx
Attachments:	- PDS.22.118 Attachment 1_Redacted.pdf - PDS.22.118 Attachment 2.pdf
Final Approval Date:	Sep 13, 2022

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

**Adam Smith - Sep 13, 2022 - 4:09 PM**