



# Staff Report

## Planning & Development Services – Planning Division

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**Report To:** Committee of the Whole  
**Meeting Date:** June 29, 2021  
**Report Number:** PDS.21.067  
**Title:** Recommendation Report – Boynton Court Subdivision and Zoning Amendment (formerly 61 Alfred Street); Town File P2835  
**Prepared by:** Denise McCarl, Planner II

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### A. Recommendations

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THAT Council receive Staff Report PDS.21.067, entitled “Recommendation Report – Boynton Court Subdivision and Zoning Amendment”, for the lands know as Lots 1, 2 and Part of Lot 3, Plan 105;

AND THAT Council support a recommendation to the County of Grey to grant Draft Plan Approval of Subdivision (County File 42T-2019-03), subject to the Draft Plan Conditions attached to Staff Report PDS.21.067;

AND THAT Council enact a Zoning By-law Amendment to change the property’s zone from Development (D) to Residential Two Exception 128, with a Holding Symbol 41 (R2-128-h41) and Residential Two Exception 129, with a Holding Symbol 41 (R2-129-h41), to permit the development of semi-detached and townhouse dwellings on the Subject Property.

### B. Overview

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This report provides a summary of an application for Plan of Subdivision and Zoning By-law Amendment proposing to develop the Subject Property for 10 Semi-detached and 8 Townhouse Dwellings on the lands known as Lots 1, 2 and Part of Lot 3, Plan 105, in Thornbury. Staff recommend that the Zoning By-law Amendment be approved, and that Council support the proposed Draft Plan and Draft Plan Conditions to the County of Grey, as outlined in this report. The Draft Zoning By-Law Amendment, Draft Plan of Subdivision and Draft Plan Conditions are attached to this report as Attachment Nos 2, 4 and 5.

### C. Executive Summary

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**Application File #:** P2835 (Zoning By-law Amendment and Draft Plan of Subdivision)

**Application Received Date:** December 9, 2019

**Application Deemed Complete Date:** February 10, 2020

**Public Meeting Date:** September 30, 2020

**Official Plan Designation:** Community Living Area

**Zoning Bylaw Category:** Development (D) and Residential (R1-1), seeking (R2)

**Short Term Accommodations Permissions:** Not currently permitted nor proposed

**Servicing:** Municipal water and sewer

**Location:** Vacant lands fronting Alfred Street West and Victoria Street South (Legal Description Lots 1, 2 and Part of Lot 3, Plan 105, formerly the Town of Thornbury, Town of The Blue Mountains)

The Town received an application for Zoning By-law Amendment and Draft Plan of Subdivision for the Subject Lands on the corner of Alfred and Victoria Streets. These applications seek to create a Plan of Subdivision of seven (7) lots on a new internal cul-de-sac road. Note that the original submitted Draft Plan has now been revised. The revised proposal is to create the seven lots to further sub-divide the lots at a future date through a Part-lot Control By-law, resulting in **eighteen (18)** total residential units. The unit composition as proposed are:

- 10 semi-detached units
- 8 townhouse units

Town staff have now completed a full review of the documents and technical studies, as well as consideration of all of the public and agency comments received.

This report summarizes the information received at the public meeting and the Planning Policy review of the revised proposal. Outstanding matters have now been resolved to the satisfaction of Town staff. Therefore, staff recommend Council endorse approval of this Draft Plan of Subdivision application by the County of Grey, and approve the associated Draft Zoning By-law Amendment as attached to this report (Attachment #4).

## **D. Background**

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A previous Information Report PDS.21.40 is found in Attachment #1. That report was provided on April 20, 2021 to advise Council that the staff review was nearing completion and that a recommendation report was expected shortly.

### **Applications**

Applications for Zoning By-law Amendment and Draft Plan of Subdivision were received December 19, 2019 by the Town and the County of Grey, respectively. Due to the Town waiting for some additional information to be received, the pause to processing *Planning Act* applications as part of the provincial Covid-19 response and other revisions of the original

application, this matter was not able to be brought forward for a Public Meeting until September 30, 2020.

In support of this proposal, the applicant submitted the following reports / studies:

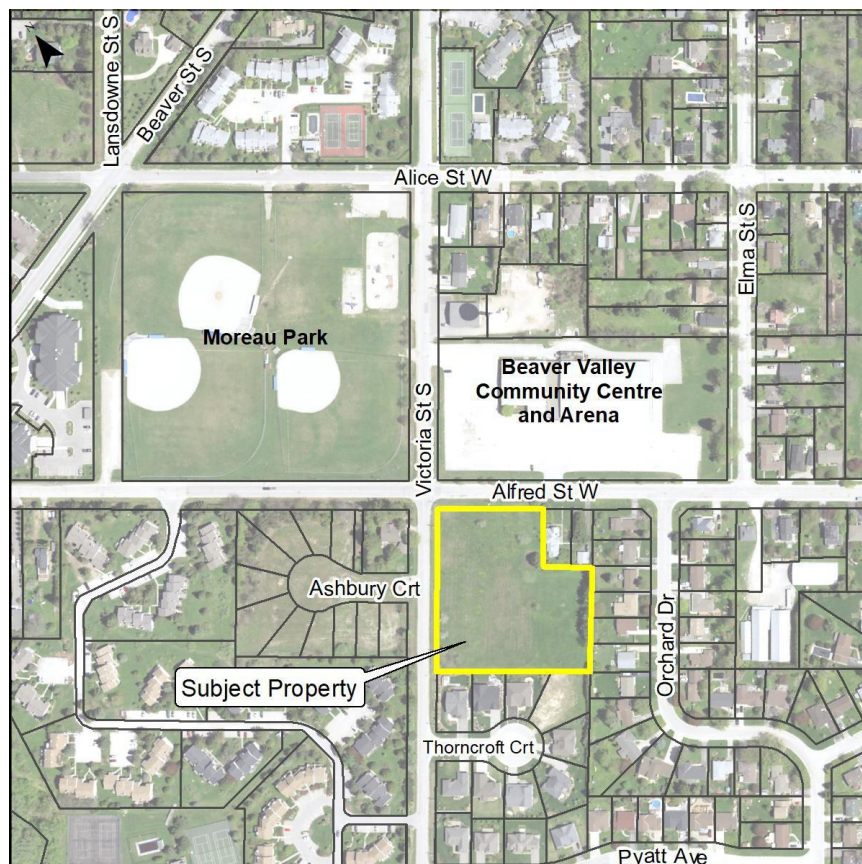
- Planning Justification Report
- Functional Servicing and Stormwater Management Report
- Stages 1, 2 and 3 Archaeological Assessments
- Traffic Opinion Letter
- Phase 1 Environmental Site Assessment
- Geotechnical Report

The Functional Servicing and Stormwater Management Report was also updated in 2020.

### Location and Description

The subject lands are approximately 1.087 hectares in area and located on the corner of Alfred Street West and Victoria Street South (see Figure 1). This section of Alfred Street West is a County Road and known as County Road 113. Victoria Street South is a Town municipal road. The lands have road frontage on Victoria Street South, but no access will be available from Alfred Street West (County Road 113).

**Figure 1: Aerial View of the Subject Lands**



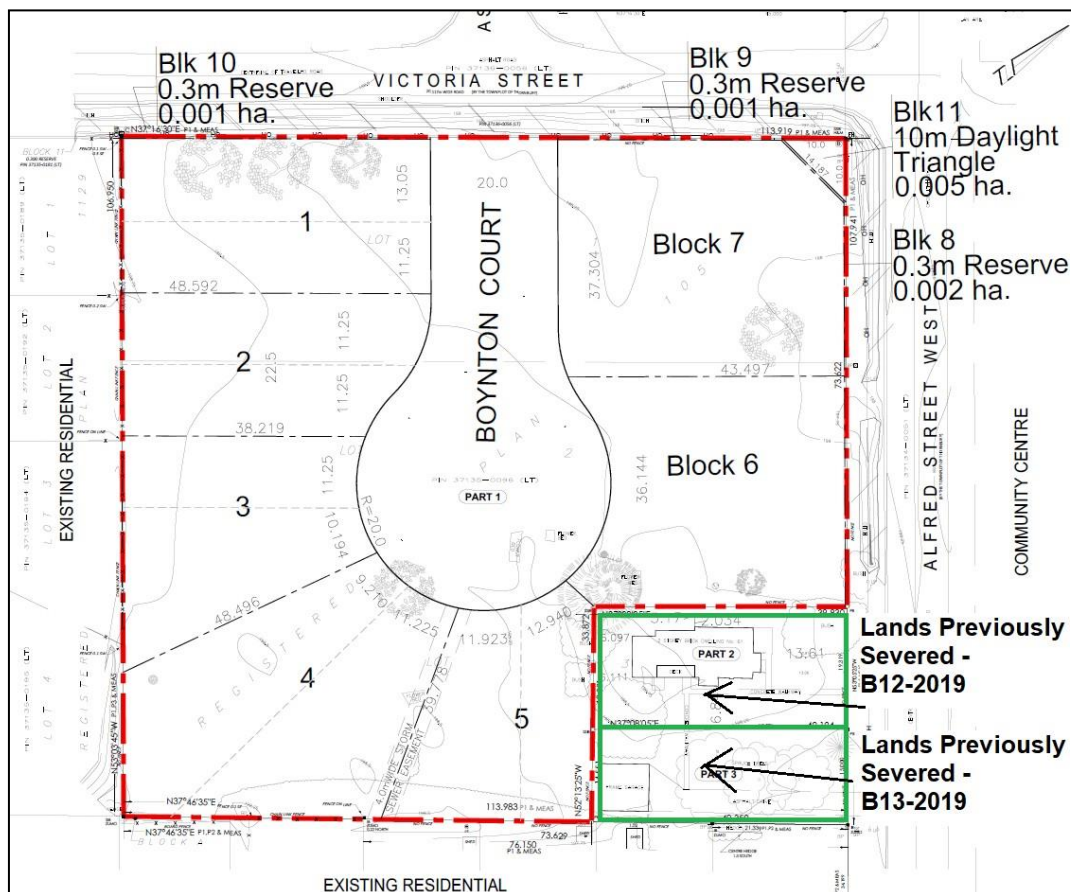
Morneau Park is located to the north and across the street intersection from the Subject Lands. To the east of the Subject lands and across the street is the Beaver Valley Community Centre. Southeast of the Subject Lands and adjacent are two lots that were previously severed from the property by 2019 Consent applications. These two lots contain single detached dwellings. The lands further to the south/southeast fronting on Orchard Drive contain existing single detached dwellings. South/southwest of the lands are existing single detached dwellings fronting onto Thorncroft Court. West of the Subject Lands are condominium Townhouses known as locally as "Apple Jack" and the Town street of Ashbury Court with single detached dwellings and lots.

## Proposal

The proposal seeks to create a lotting pattern and cul-de-sac similar to Thorncroft and Ashbury Courts. Figure 2 Draft Plan of Subdivision below shows the layout of the proposed lots/blocks in the Plan. A full copy of the Draft Plan of Subdivision is found in Attachment #2. The number of lots is now proposed to be 18 in total, with:

- 10 lots proposed for Semi-detached units (Lots 1-5 would later be subdivided by Part-Lot Control By-law)
- 8 lots proposed for Townhouse units (Blocks 6 and 7 also later to be subdivided by Part-Lot Control By-law)

**Figure 2: Excerpt from Draft Plan of Subdivision**



As shown in Figure 2, the proposed Semi-Detached units would back onto the properties on both Thorncroft Court and Orchard Drive. These units are proposed to be bungalow style. The Townhouses, which would be a maximum of 3 storeys high, would back onto Alfred Street and be adjacent to a single detached house, previously severed from the lands by the applicant (B12-2019, approved by the Committee of Adjustment on August 21, 2019).

A new cul-de-sac for access to these properties is proposed to be called Boynton Court (a name chosen by the applicant from the Town's List of Approved Street Names). As seen in the Draft Plan of Subdivision, there are also 0.3m Reserve Blocks (Blocks 8, 9 and 10) which restrict street access on the Town street and County road, as well as the conveyance of a Daylight Triangle (Block 11).

It should be noted that the proposal has been revised since the Public Meeting by removing one of the Townhouse units. This decrease in density will provide for slightly larger dwelling units and more functional lots. The width previously proposed for smaller Townhouses had been 5 metres, which is smaller than the 6-metre minimum frontage for Townhouses in the R2 Zone (that is now being proposed).

#### Public Meeting

The Town held the Public Meeting for this proposal on September 30, 2020. This meeting was held Virtually through Microsoft Teams. Attendees who were speaking joined the meeting through an invite. The meeting was livestreamed and later posted to the Town's website under the date of the meeting.

At the Public Meeting, the agent made a presentation in support of the proposal and two members of the public attended to provide verbal submissions outlining questions and concerns with the proposal. A number of letters were also received outlining concerns.

#### Summarized Comments

Planning Staff have prepared a Comments and Town Responses matrix addressing written and verbal comments (see Attachment #3). Comments provided in the Attachment #3 represent letters received and all issues raised throughout the process. Letters received are also posted to the Town's website under the Development Projects Page for this proposal. Posted letters do not include post public meeting email dialogue with Town staff. For convenience, Table 1 below provides a summary of comments and concerns received at the time of the Public Meeting.

**Table 1: Public Meeting Comments**

Author	Comment
County of Grey	<ul style="list-style-type: none"><li>• County Transportation have no objections to the proposal</li><li>• County Planning staff noted there were generally no concerns with the proposed development or zoning amendment, provided the development is of high-quality urban form, incorporating urban design standards to create an attractive,</li></ul>

	vibrant place supporting walking and cycling for everyday activities.
Historic Saugeen Metis	<ul style="list-style-type: none"> <li>• Have no objection or opposition to the proposed rezoning and subdivision</li> </ul>
Enbridge Gas/Union Gas	<ul style="list-style-type: none"> <li>• Requested that as a condition of final approval the owner/developer the necessary easements and/or agreements required for the provision of gas services for this project</li> </ul>
Bluewater District School Board	<ul style="list-style-type: none"> <li>• Request that as a condition of approval, the subdivision agreement contain requirement that Offers of Purchase and Sale a statement advising prospective purchasers that: <ul style="list-style-type: none"> <li>○ accommodation within a public school in the community is not guaranteed and students may be accommodated in temporary facilities, such as a portable classroom, a “holding school”, or in an alternate school within or outside of the community.</li> <li>○ school bus pick up points will generally be located on the through street at a location as determined by the Student Transportation Service Consortium of Grey Bruce.</li> </ul> </li> <li>• Request that the development provide sidewalks and pedestrian linkages for safe walking routes for students to the school property and throughout the surrounding community and specifically request a sidewalk be provided along the south side of Victoria St in front of the cul-de-sac. to connect to the current sidewalk that runs along the east side of Alfred St. and that a street crossing be installed across Alfred St to connect the south side of Victoria St to the East side of Alfred St.</li> </ul>
Area residents	<p><b>1. Concerns about the proposed drainage and Stormwater Management</b></p> <ul style="list-style-type: none"> <li>• Concerns note existing drainage issues with the properties on Orchard Drive and Thorncroft Court</li> <li>• The application includes raising the site 1-1.5 metres and concerned about how that will affect current and future drainage on adjacent properties</li> <li>• Concerned that there is inadequate Storm water drainage capacity for the property</li> </ul>

	<ul style="list-style-type: none"><li>• Disagrees with the concept of a rear lot catch basin and concerned it contravenes the Thornbury West Drainage Master Plan</li><li>• Question about whether the updated ground water monitoring is available, noting the submitted report states this would be updated June/July 2020</li><li>• Suggests that the development should be slab on grade because of water table issues</li></ul> <p><b>2. Concerns related to Sidewalks and Traffic</b></p> <ul style="list-style-type: none"><li>• Notes the lack of sidewalks on Victoria Street. Is the installation of sidewalks on Victoria and Alfred being considered?</li><li>• Disagrees with the submitted Traffic Opinion Letter and feel it needs to be updated</li><li>• Feels that Town infrastructure is not adequate to accommodate the development and notes the poor condition of Victoria Street south of Alice street, as well as lack of curb and gutters and sidewalks on Victoria Street south of Alfred street</li></ul> <p><b>3. Concerned about Results of the Phase 1 Environmental Site Assessment:</b></p> <ul style="list-style-type: none"><li>• The Phase 1 assessment states some contamination on the property related to the former agricultural use and how is this being adequately addressed to protect neighbouring properties from contamination, including a future Phase 2 assessment.</li></ul> <p><b>4. Concerns related to neighbourhood character and compatibility:</b></p> <ul style="list-style-type: none"><li>• Feels the proposal would be more in keeping with surrounding lots if the plan was for a maximum of single detached bungalows noting many of the adjacent existing homes bungalows</li><li>• Concerned about how this proposal fits in with the existing character of the neighbourhood and whether it is consistent with the Town's Community Design Guidelines</li><li>• Concerned about the potential negative visual impacts of higher buildings adjacent to bungalows, specifically related to raising the site to accommodate drainage</li></ul>
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	<p><b>5. Concerns related to Tree Protection and Retention:</b></p> <ul style="list-style-type: none"><li>• Concerned with the appropriate protection of the mature trees, specifically those at the rear of the Orchard Drive properties and adjacent to the subject lands and how these will be protected from damage if the development proceeds</li></ul> <p><b>6. Concerns related to growth:</b></p> <ul style="list-style-type: none"><li>• More development will mean an increase in demand for services, note many streets show signs of extensive base failure and warrant reconstruction</li><li>• Concerned about potential for uncontrolled and rapid growth over-whelming Council, staff and residents</li><li>• Noted recent increased usage of parks, roads and stores</li><li>• Note that the development is likely to attract younger families but notes that Beaver Valley School has experienced significant student enrollment and questions future capacity of the school</li></ul> <p><b>7. Concerns related to site design and density</b></p> <ul style="list-style-type: none"><li>• Comparison with the cul-de-sac developments nearby it looks like the density would be nearly double of those areas. Concerned the number of units would cause snow removal and storage, garbage removal and on-street parking issues</li></ul>
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## **E. Analysis**

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This section provides the staff analysis based on the relevant legislation and policies, as well as the identified issues. Summaries of policies and issues are provided in the following sections.

### **Planning Act**

The Ontario Planning Act gives municipal Councils the authority to pass zoning by-laws, and make amendments to existing zoning by-laws, under Section 34 of the Act. Authority for Subdivision of Land is found in Section 51. The Planning Act also sets the framework for other Planning policy that are used as the basis decisions on development applications and requires that in making planning decisions Council must have regard for matters of Provincial Interest, as outlined by Section 2 of the Act. Decisions must be consistent with the Provincial Policy Statement (PPS); conform or not conflict with the Niagara Plan; and conform with the policies of the Official Plan which apply to the lands. More detail is provided in the following sections of this report.



In review of the list of matters of Provincial Interest, Staff have not identified any concerns. Notable subsections of Section 2 Provincial Interest include:

(h) the orderly development of safe and healthy communities

**Staff Comment:** This proposal is orderly development that uses vacant lands adjacent to a built-up area.

(j) the adequate provision of a full range of housing, including affordable housing

**Staff Comment:** The proposal includes different housing types to provide for a range of housing.

(p) the appropriate location of growth and development

**Staff Comment:** The location is an appropriate location for growth and development as a designated residential growth area, which is designated Community Living Area in the Town's Official Plan and a Primary Settlement Area in the County of Grey Official Plan.

(n) the resolution of planning conflicts involving public and private interests

**Staff Comment:** The proposal has addressed concerns of neighbours and mitigation measures to minimize conflicts have been utilized. More information is provided later in this report and the Comments and Town Responses Matrix in Attachment #3.

Section 51 of the Planning Act deals with approvals of Subdivisions and also provides a list of criteria that must be considered within subsection (24). Staff have reviewed these criteria, which also form part of the Town's Official Plan policies for new subdivisions and are satisfied that the matters are addressed.

#### Provincial Policy Statement 2020 (PPS)

The Provincial Policy Statement, also known as the "PPS", provides more detailed policy direction on matters of provincial interest related to land use planning and development. It aims to provide for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. Decisions on Planning matters made by a municipal Council (or any other planning authority) must be consistent with the Provincial Policy Statement.

Within the PPS framework, the subject property is within a "Settlement Area" and subsequently designated Community Living Area in the Town of The Blue Mountains Official Plan. Settlement Areas are built-up areas where development is concentrated, have a mix of land uses and designated in an Official Plan for development over the long-term planning horizon. The focus of growth and development is within Settlement Areas as outlined in Section 1.1.3.

*Land use patterns within Settlement Areas shall be based on densities and a mix of land uses which efficiently use land and resources, efficiently use the infrastructure and public service*

*facilities which are planned or available and avoids the need for their unjustified and/or uneconomical expansion. New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure, and public service facilities.*

**Staff Comment:** The proposal is consistent with the above policies since it is located in a designated Settlement Area and designed to efficiently use infrastructure and facilities that are available to the property. The lands are adjacent to the previously built-up area and the form balances a compact form with compatible character.

Section 1.6.6 deals with Sewage, Water and Stormwater. Municipal sewage services and municipal water services are the preferred form of servicing for Settlement Areas to support protection of the environment and minimize potential risks to human health and safety. Within Settlement Areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.

*Stormwater management solutions should minimize erosion and prepare for impacts of a changing climate, mitigate risks to human health, safety, property and environment. Maximization of the functions of vegetation, pervious surfaces and other best practices including Low Impact Development.*

**Staff Comment:** This proposed development will be serviced with full municipal sewage and water services, consistent with the above policy. The stormwater management proposed intends to utilize Town stormwater infrastructure, and appropriate infiltration and directional drainage and the applicant has advised that they will retain existing vegetation as is practical.

Section 2.1 of the PPS deals with Natural Heritage Areas and Section 3.0 addresses protection of Public Health and Safety in relation to Natural Hazards.

**Staff Comment:** There are no identified Natural Heritage or Natural Hazards areas on the property.

Staff are satisfied that proposal is consistent with the intent and direction of the PPS.

## Official Plans

### County of Grey Official Plan 2019

The County of Grey Official Plan is in place to guide development within the whole of the County of Grey and provides broad policy framework for local Municipal Official Plans, Secondary Plans and by-laws. The policy framework builds further on provincial policy direction and encourages strong healthy communities, and new development growth while maintaining and protecting environmental and economic resources. The County Plan provides a general framework assessment for land use and development which does not include a detailed assessment of local planning issues within each constituent municipality. Policies within Section

3.5 provide for land use policies and development standards in areas designated primary settlement areas to be in accordance with local official plans and/or secondary plans.

County policy requires that Thornbury, as a designated Primary Settlement Area, be developed at a minimum density of 20 units per net hectare. The reduction of one unit from 19 to 18 units has been confirmed to still meet the minimum 20 units per net hectare density requirement.

County staff comments noted no concerns with the proposal provided the development is of high-quality urban form, incorporating urban design standards to create an attractive, vibrant place supporting walking and cycling for everyday activities.

Town planning staff agree with the County comments letter provided on September 21, 2020 and are satisfied that the proposal is consistent with the County Official Plan.

#### Town of The Blue Mountains Official Plan 2016

An Official Plan is a general land use guide which sets out the municipality's long-term vision for growth and development and it is intended to provide Council with the basis for making decisions on development applications, changes in land use and community improvements. The Town's Official Plan identifies Thornbury as a Primary Settlement Area.

The Town's Official Plan designates the Subject Lands as **Community Living Area** or CLA as shown below in Figure 3. Lands designated CLA consist of existing and planned residential development and complementary uses on full municipal services within the Thornbury-Clarksburg settlement area. The surrounding lands are also designated CLA, with the exceptions of the Beaver Valley Community Centre which is designated Institutional Area (IA) and Morneau Park which is designated Major Open Space (MOS).

Figure 3: Official Plan Map



The Official Plan contains a number of goals and strategic objectives. Under Section A3.3 Growth and Settlement, the goal is to direct most forms of development to areas where full municipal wastewater and water services are available and to support the efficient use of land in these areas. The strategic objective is to encourage infilling, intensification and redevelopment in appropriate locations and with appropriate built form and design.

The Official Plan also seeks to protect and enhance the character of existing urban areas and the stability of existing and well-established residential neighbourhoods by ensuring that development and redevelopment is compatible with the scale and density of existing development.

The CLA designation is outlined in Section B3.1 of the Official Plan. The CLA designation permits a variety of residential development types including single detached, semi-detached, duplex, townhouses and other multiple and apartment dwellings. Policy B3.1.4 outlines the permitted densities of development:

- Semi-detached – 15-35 Units per Gross Hectare and a maximum of 2.5 Storeys
- Townhouses – 25-40 Units per Gross Hectare and a maximum of 3 Storeys

The policy also states that notwithstanding the above, new greenfield areas should be developed at a minimum density of 20 units per net hectare in accordance with the direction of the County of Grey Official Plan.

Section B3.1.5 deals specifically with Infill, Intensification and Greenfield Development. Existing residential neighbourhoods are intended to retain their existing character with limited change. However, 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. Infill and intensification may be permitted where it respects the scale and built form of the surrounding neighbourhood and conforms to the policies of the Plan. The criteria within Section B3.1.5.3 Intensification and Greenfield Development are provided below in Table 2.

**Table 2: Official Plan B3.1.5.3 Intensification and Greenfield Development**

<b>Policy</b>	<b>Staff Response</b>
a) where appropriate, considers the role of topography and natural vegetation in minimizing the impacts of taller buildings on adjacent land uses	a) The property is relatively flat. The semi-detached units are proposed adjacent to existing single detached units which have the same maximum zoning heights. The semis are proposed to be bungalow style and will be similar to adjacent housing in height. Max. building height of the Townhouses is proposed at 11m as per the R2 zone. These units are not adjacent to existing units, with the exception of the

Policy	Staff Response
	lot severed by the previous 2019 Consent application submitted by this same applicant.
b) has demonstrated that the potential shadow impacts associated with taller buildings will be at an acceptable level on adjacent properties; new buildings that are 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 dwelling	b) N/A. Taller buildings are not proposed as noted above in a). This policy would apply more to a medium and high-rise proposal that was adjacent to low-rise houses to ensure those proposed buildings have demonstrated acceptable shadow impacts to adjacent low-rise houses. That is not the scenario in this case.
c) respects the <i>character</i> of adjacent residential neighbourhoods, in terms of height, bulk and massing	c) The application to rezone proposes to put the semi-detached units, with backyards that will be adjoining adjacent neighbouring backyards. The setbacks proposed and massing would be similar to adjacent housing. The proposed semis adjacent to the existing single detached dwellings will create a density transitional area between these existing single detached units and the proposed townhouses to be located to the southeast/County Road 113.
d) building height(s) reflect the pattern of heights of adjacent housing	d) The heights of adjacent buildings vary from 1-2.5 storeys; however, the maximum height within current zoning of surrounding lands varies between 9m and 11m. The proposed semi-detached units would have the same maximum height zoning as existing single detached houses in the adjacent R1-1 and R1-2 zones, however, these semi-detached units are proposed as bungalows.
e) is designed in consideration of lot coverages of adjacent housing	e) The adjacent R1-1 zone permits a maximum of 30%-35% lot coverage. While it is noted there is no lot coverage provision in the R2 zone, the setbacks required in the R2 zone will provide and

Policy	Staff Response
	result with building limitations to lot coverage similar to adjacent housing.
f) considers the predominant or average front yard setback for adjacent housing to preserve the streetscape edge, and character	f) The intent of this policy is to preserve the neighbourhood character by preserving the streetscape edge. In this case, since the development is internal to its own Town road, this policy is not directly applicable. However, it is noted that proposed setback is the standard setback R2 zone of 6 m (semis) and 7.5 m (townhouses) which is consistent with much of the adjacent housing.
g) provides for similar side yard setbacks to preserve the spaciousness on the street	g) As noted above, since this development will be within its own Town street only corner units will potentially impact the character of the existing streetscape on Victoria Street, and the townhouses will have backyards on Alfred Street. However, the proposed side yard setbacks are the same as the standard applied to adjacent dwellings when they were constructed under the former Thornbury Zoning By-law 10-77. The R2 zone – 1.2 metres on one side for semi units and 4.5 metres for Townhouse end units.
h) is designed 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;	h) While the proposed semi-detached lots are narrower than the existing Thorncroft Court lots, the proposed adjacent rear yard setbacks are the same size as the adjacent R1-2 zone on Thorncroft Court (minimum 6m rear yards). The lots adjacent to the Orchard Drive properties are proposed to be wider at the rear of the lots and there are more existing trees in this area as an existing buffer, since the Orchard Drive area is an older, more established area.
i) provides a built form that reflects the variety of façade details and materials of	i) Renderings have not been provided, but it is anticipated these will be custom built homes with a variety of façades and

Policy	Staff Response
adjacent housing, such as porches, windows, cornices and other details	features. The Town does not have architectural standards; however, the Community Design Guidelines recommend that corner units have additional features along the second street frontage. Provisions to address the Community Design Guidelines are included in the Draft Plan Conditions and will be included in the Subdivision Agreement.
j) retains and enhances existing trees and vegetation where possible and additional landscaping will be provided to integrate the proposed <i>development</i> with the existing neighbourhood	j) A Tree Inventory and Preservation Plan have been recommended as part of the Draft Plan Conditions. These will be received and reviewed by the Town. No building will occur until these plans are approved by the Town and form part of the Subdivision Agreement.
k) will not cause or create traffic hazards or an unacceptable level of congestion on surrounding roads	k) Staff are satisfied with the findings of the Traffic Impact Brief. The additional 18 houses are not anticipated to have negative impacts on Town road infrastructure. It is noted that Alfred Street is a County Road.
l) is located on a site that has adequate land area to incorporate required parking, recreational facilities, landscaping and buffering on-site	l) Staff are satisfied that the site can accommodate the required on-site parking without the need for special buffering or additional landscaping. No recreational facility is proposed within the development, but it is noted the lands are adjacent to existing Town recreational facilities
m) if applicable, creates a street and block pattern, which serves as a seamless extension of the surrounding neighbourhoods by providing an interconnected block structure and the extension of the existing local road network	m) The block pattern and proposed cul-de-sac mimics surrounding development. The size of the property and location adjacent to a County Road does not provide for a through road in this location.

Policy	Staff Response
n) will have minimal impacts on adjacent properties in relation to grading, drainage, access and circulation, and privacy;	n) Preliminary Grading and Drainage Plans have been reviewed demonstrating that a proof of concept is supportable for this project. Prior to final approval, detailed engineering will be required to demonstrate and confirm that there are no negative impacts to adjacent lands.
o) buffers any 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	o) N/A. Loading and storage facilities are not part of proposal.
p) if large in scale, will not obstruct views of Georgian Bay along streets that terminate at or close to the water's edge.	p) N/A

Demonstrated through the review of the criteria above, it is the opinion of Town staff that the proposal is compatible with the neighbourhood. The location proposed for the Townhouse dwellings is adjacent to the County Road, and across from the community centre, furthest from the existing single detached dwellings which allows for a good density transition and overall mix of housing types.

The proposal is to be serviced by full municipal services, which are available to the property, consistent with the Servicing policies of the Official Plan in Section D1. Servicing capacity will need be confirmed prior to development proceeding to final approval at the future Subdivision Agreement stage, as noted within the proposed attached Draft Plan Conditions.

Review of Section D4.3 Subdivision Development Policies, Prior to the consideration of an application for Plan of Subdivision, *Council* shall be satisfied that:

- a) the approval of the *development* is not premature and is in the public interest;
- b) the lands will be appropriately serviced with *infrastructure*, schools, parkland and open space, community facilities and other amenities, as required;
- c) the density of the *development* is appropriate for the area;
- d) the subdivision, when developed, will be easily integrated with other *development* in the area;
- e) all development by plan of subdivision shall be consistent with Section D5 of this Plan;
- f) the subdivision conforms with the environmental protection and management policies of this Plan; and,
- g) the proposal conforms to Section 51 (24) of the Planning Act, as amended.

Staff have reviewed all the above matters under D4.3 and are satisfied that all are addressed within these applications. Section D5 deals with Community Design. A Draft Plan Condition has been added that will require a qualified Architect, Urban Designer or Planner has reviewed the



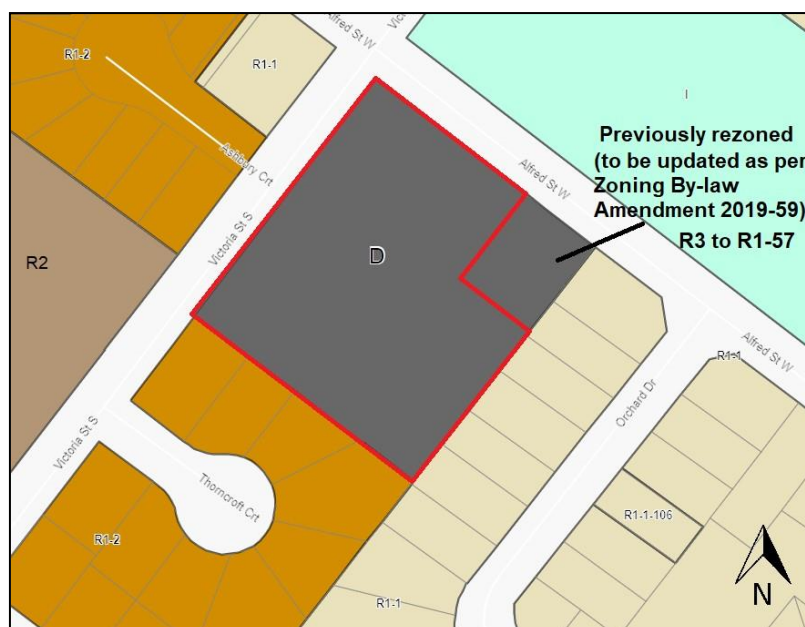
proposed development and that it is built to be consistent with the Town's Urban Design Guidelines.

Planning Staff are satisfied that the proposal seeking to create 18 units on the Subject Lands and the zoning amendment to permit a mixture of Townhouses and Semi-detached units conforms with the Town's Official Plan.

#### Zoning By-laws 2018-65 and 10-77

The subject lands are zoned Development (D) Zoning By-law 2018-65 as shown below in Figure 4. This means that as per Section 1.5 of the Zoning By-law 2018-65 the lands are still subject to the former Town of Thornbury Zoning By-law 10-77. The proposed Zoning By-law Amendment would bring this property into the jurisdiction of Zoning By-law 2018-65.

**Figure 4: Existing Zoning Map**



The existing D zone only permits a single detached dwelling on the property. The purpose of the D zone is to hold a property, especially larger lots in the settlement area, for the consideration of future development applications, once infrastructure such as water, sewer and roads can service the property to allow it to develop to its full potential. This means in order to permit development beyond that of a single house on the lot as it exists, the lands must be rezoned.

The proposed amendment seeks to apply two site-specific zones to the property:

- R2-128

This zone would be applied to the area proposed for semi-detached units. It permits only semi-detached units, rather than the broader categories of dwelling types in the standard R2 zone. It also allows for a minimum landscaped front yard of 40%, rather than the 50% required by the standard R2 zone.

The need for the requested 40% minimum landscaped front yard is that the cul-de-sac lots, being narrow at the front (some are wedge shaped) makes it difficult to get a double driveway, with the other half of the lot set aside for landscaping. The 40% is consistent with the former Town of Thornbury Zoning By-law 10-77 which applied to the adjacent lands at the time that those lands were developed.

- R2-129

This zone would be applied to the area proposed for townhouse dwelling units. It permits only townhouse units. It also allows for a minimum landscaped front yard of 40%, a minimum Exterior Side Yard of 3 metres and an interior side yard of 0m. The reason for the 40% front yard landscaping is as noted above; the townhouse lots are also proposed to be as small as 6m frontages which makes providing 3 metres of landscaping difficult. The Exterior Side yard is proposed to match what is allowed in the R2 Zone for the Semi-detached units, therefore the built form of the Townhouses will match the semi-detached dwellings on the other side of Boynton Court. Lastly, the 0.0 metre Interior Side Yard is a housekeeping matter; it is noted that the Table 9.1 in the Zoning By-law contains an error that does not consider the fact that Townhouses are joined by a common-wall and cannot have setbacks within the interior units.

Also proposed is to add a Holding (-h41) symbol to the entirety of the lands. This will require the Holding symbol to be removed prior to the issuance of building permits for the development. The Holding Symbol would not be removed until:

- Execution of a Subdivision Agreement with the Town.
- Registration of a Plan of Subdivision.
- Municipal Water and Sanitary Sewage capacity has been confirmed as available to service the development.

The draft Zoning By-law is attached to this report in Attachment #4.

### Other Issues

Following the public meeting, Town Planning and Development Engineering staff worked with the applicant on identified issues, suggested revisions and requested further information to address Town and public concerns.

The most commonly heard issues that were raised through the public consultation process and public meeting were:

- Potential Drainage Issues related to the development and noting existing drainage issues in that area
- Concerns that the proposed Density is too high
- Concerned that the residential unit types are not in keeping with the surrounding area or too different from adjacent residential
- Potential that the development could cause damage to boundary trees and/or trees on adjacent lands

- Potential impacts from contamination on the property from the previous orchard use, and
- Pedestrian safety, noting lack of sidewalks in this area

As noted earlier in this report, a Town staff response matrix is attached to this report as Attachment #3. For convenience, staff have prepared a more detailed summary following of the most prevalent concerns related to this proposal.

### Drainage

Drainage is a common concern with all Town development proposals and one that Town staff review in detail. Staff reviewed the drainage proposed through the Functional Servicing and Stormwater Management Report and did seek more information from the applicant based on consistency with the Thornbury West Drainage Master Plan. The consulting Engineering firm that is the author of that Town study has confirmed that the proposed drainage is consistent with the Thornbury West Drainage Master Plan. Staff are satisfied that the drainage proposed is appropriate and that the detailed design will ensure the development can proceed in accordance with Town standards.

It should be noted that the application currently proposes to deal with an existing catch basin related to an adjacent lot that is not part of the previous approvals for that lot (located near the rear of proposed Block 4). Staff are not aware of the original reason why this catch basin was installed. However, the proposed development will be able to effectively deal with drainage entering the property, including an opportunity to more appropriately addressing the water within that existing catch basin, through a suitable engineering design approach that will handle water drainage that enters and leaves the site.

### Density

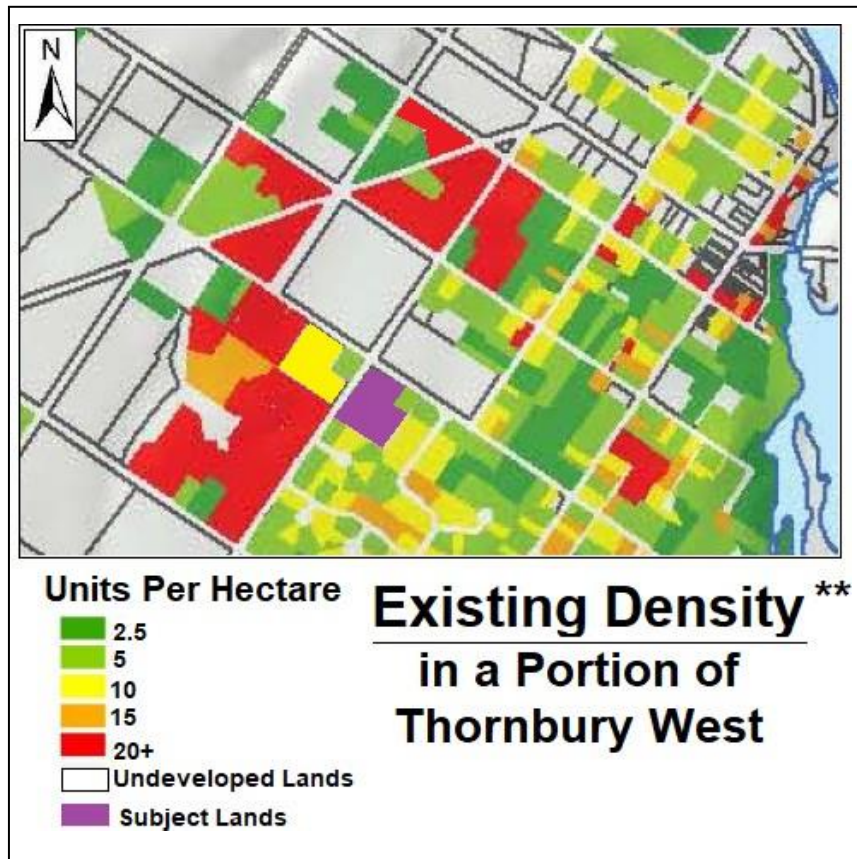
During the Public Meeting, County staff outlined County Official Plan policy requiring new development to meet a minimum density of 20 units per net hectare in the Primary Settlement Area of Thornbury. Town policy also provides a *target* density of 20 units per gross hectare in Thornbury based on County policy.

This proposal is at approximately 20 units per *net* hectare or 16.5 units per *gross* hectare. The difference between how the Town's and County's density calculations are determined are:

- Units per Gross Hectare includes all lands that can be developed, the roads, lots and blocks, stormwater management features and so on. The calculation does not include any non- developable hazard lands.
- Units per Net Hectare includes only the lands proposed for residential uses. All other lands such as roads, stormwater management features, etc. are excluded from the calculation.

During the public meeting staff were asked by Council to provide an overview of the surrounding residential densities of the neighbourhood. Figure 5 below provides a visual representation of the surrounding residential densities.

**Figure 5: Existing Density in an area of Thornbury West**



\*\* Figure 5 was adapted and updated from mapping provided to Council on February 29, 2016 in a presentation titled “Growth Management - Density Height Bonusing” (additional materials as part of Staff Reports PDS.16.22 and PDS.16.14). Note that some of the undeveloped lands are Town-owned parks and facilities and not included in the density calculations.

The Subject Lands are identified in purple in Figure 5. The areas shown in red are at or above 20 units per net hectare. Most of the areas in red are condominium townhouses. There are also a variety of lands in the orange (15 units per net hectare), yellow (10 units per net hectare), light green (5 units per net hectare, and darker green (2.5 units per net hectare). The figure illustrates that there are a variety of existing densities in that area of Thornbury. Staff noted above that the property is proposed to be developed at a density approximately 16.5 units *per gross hectare* or 20 units *per net hectare*. If approved, the proposed development would be in the red category shown Figure 5.

### Mixed Residential Types

Questions were raised about why there was a mixture of development types proposed. The original proposal sought a mixture of singles, semis and townhouses. Best practices within Planning communities seeks to mix housing types to avoid a homogenous neighbourhood within a community. Different unit types add both visual interest and avoid creating pockets of

lower end or higher end housing. Mixing housing types is also supported by Provincial Policy and Official Plan policy.

In this case, the applicant has sought to put the low-density housing (semis) adjacent to the single detached to create a smooth density transition to the townhouses which are considered medium density, while pursuing conformity with official plan policy.

### Boundary Trees

There were some concerns related to Boundary Trees, especially along properties at the southeast lot line at Orchard Drive. The developer has engaged an arborist early in the process to assist in protective measures for those trees. Staff worked with the developer's team to create appropriate draft plan conditions (see Attachment #5) which ensures that appropriate protective measures are employed to protect those trees, including their root system.

### Sidewalks on Victoria Street

This issue has been raised through public concerns, the Bluewater District School Board and Town staff. Planning staff reviewed the draft plan of subdivision concept and sidewalk concerns with Operations staff and Finance staff. Operations staff have advised that the Town's minimum standard is currently sidewalks on one side, with the opportunity for Council to decide to require sidewalks on both sides of a road in areas determined to be appropriate. Victoria Street is an area proposed for reconstruction by the Town and funded through Development Charges. Sidewalks could then be considered by Council on both sides of the street if the Council determined that to be appropriate. Staff do not recommend the development be required to install sidewalks on Victoria Street at this time, since the reconstruction of Victoria Street would be the better time for sidewalk installation and ensure infrastructure is sustainably installed. Installation of sidewalks is recommended to be coordinated with the redevelopment of the street.

### Conclusions

Planning Staff agree with the findings of the Planning Justification Report. The other supportive studies have also been accepted by Town Planning and Development Engineering staff. Planning Staff are satisfied that the identified issues have now been addressed with the additional information provided.

As outlined within in this report, Planning Staff are satisfied that the Zoning By-law Amendment is consistent with the Provincial Policy Statement and conforms with the policies of both the County of Grey Official Plan and Town of The Blue Mountains Official Plan. Planning Staff are able to support this application for approval.

## **F. Strategic Priorities**

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### **1. Communication and Engagement**

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

### **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**

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There are no anticipated negative Environmental Impacts related to this Staff Report. There are no identified Natural Heritage areas on the property, as confirmed as part of the Phase One Environmental Site Assessment. Grey Sauble Conservation Authority also did not identify any Natural Heritage concerns and the lands are not regulated by the Grey Sauble Conservation Authority. As the lands were previously used for an apple orchard and as identified in the Phase One Environmental Site Assessment, a further Phase Two will be required to be completed and Record of Site Condition filed, prior to final approval.

## **H. Financial Impacts**

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Decisions of Councils on Planning Applications may be subject to an appeal to the Ontario Land Tribunal or OLT, (formerly known as Local Planning Appeals Tribunal LPAT). Depending on the scope of the appeal and Town involvement in the appeal process, additional financial obligations may be required.

## **I. In Consultation With**

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Brian Worsley, Manager of Development Engineering

Dylan Stoneman, Development Engineering Reviewer

The following staff were consulted on Sidewalk Planning for the development but were not involved in the writing of this staff report:

Shawn Carey, Director of Operations

Mike Campbell, Construction Coordinator

Jim McCannell, Manager of Roads and Drainage

Sam Dinsmore, Deputy Treasurer/Manager of Accounting and Budgets

PDS.21.067

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## **J. Public Engagement**

The topic of this Staff Report was the subject of a Public Meeting on **September 30, 2020**.

Those who provided comments at the Public Meeting including anyone who has asked to receive notice regarding this matter, were provided notice of this Staff Report. Any comments regarding this report should be submitted to Denise McCarl, Planner II at [planning@thebluemountains.ca](mailto:planning@thebluemountains.ca).

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## **K. Attached**

1. PDS.21.040 Boynton Court Subdivision and Zoning Information Report
2. Draft Plan of Subdivision – June 9, 2021
3. Town Comments and Responses Matrix
4. Draft Zoning By-law Amendment
5. Proposed Draft Plan Conditions

Respectfully submitted,

Denise McCarl, MSc RPP MCIP  
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:

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519-599-3131 extension 262

PDS.21.067

**Report Approval Details**

Document Title:	PDS.21.067 Recommendation Report - Boynton Crt Subdivision and Zoning Amendment.docx
Attachments:	<ul style="list-style-type: none"><li>- PDS.21.067 Attachment 1 PDS.21.040 Boynton Court Subdivision Follow up Report.pdf</li><li>- PDS.21.067 Attachment 2 Draft Plan June 9 2021.pdf</li><li>- PDS.21.067 Attachment 3 Comments Matrix and Town Responses.docx</li><li>- PDS.21.067 Attachment 4 Draft Boynton Zoning By-law .pdf</li><li>- PDS.21.067 Attachment 5 Boynton Crt Draft Plan Conditions 15June21.docx</li></ul>
Final Approval Date:	Jun 22, 2021

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

**Trevor Houghton - Jun 22, 2021 - 9:22 AM**

**Nathan Westendorp - Jun 22, 2021 - 9:26 AM**

**Shawn Everitt - Jun 22, 2021 - 4:26 PM**