

B. Public Meetings - 7:00 p.m.

B.1 Proposed Street Renaming Mountain Drive to Gordon Canning Drive

Chair Duncan McKinlay advised that our first public meeting tonight is related to the proposed renaming of “Mountain Drive” to “Gordon Canning Drive”. The purpose of this Public Meeting is to receive comments from any person who claims that his or her land will be prejudicially affected by the proposed renaming prior to Council’s consideration of the appropriateness of the renaming.

Clerk read the correspondence from Dan Skelton, President & Chief Operating Officer of Blue Mountains Resorts Limited, James Henry, General Manager, The Westin Trillium House and Property Manager, Grey Standard Condominium Corporation #65, George Weider and Don Braden, President, Blue Mountain Village Association all in support of the street renaming.

Chair Duncan McKinlay asked if any person from the public wishes to make comments related to this proposed renaming.

Chair Duncan McKinlay declared the Public Meeting closed as no one wished to speak.

B.2 Official Plan Amendments (2), Zoning By-law Amendment and Category 3, Class “A” Licence Application and Notice of Application for a Licence – Aggregate Resources Act Part Lot 28, Concession 11 - Dennis Breadner

Chair McKinlay read the Notice of Public Meeting to receive agency and public comments with respect to an Application for Two Proposed Official Plan Amendments, a Zoning By-law Amendment and a Category 3, Class “A” Licence Application.

The purpose and effect of the Official Plan Amendment (County File # 42-42-00-OPA-106) is to re-designate a portion of the subject lands from the “Special Agriculture”, “Rural”, and “Hazard Lands” designations to the “Mineral Resource Extraction” and “Hazard Lands” designations to permit the establishment of a pit operation. The purpose and effect of the Town of The Blue Mountains Official Plan Amendment is to re-designate a portion of the subject lands from the Special Agriculture ‘SA’, Agriculture ‘A’ and Hazard ‘H’ designations to the Extractive Industrial ‘EI’ and Hazard ‘H’ designations to permit the establishment of a pit operation. An application to amend the Town of Collingwood Zoning By-law 83-40 has also been submitted. The proposed Zoning By-law Amendment would implement the requested Official Plan Amendments by rezoning the same lands from the General Rural ‘A1’ and Hazard ‘H’ zones to the Extractive Industrial ‘M4’ and Hazard ‘H’ zones.

The subject lands of these Applications are legally described as Part of Lot 28, Concession 11, Town of The Blue Mountains.

Duncan noted any person or agency may attend the Public Meeting and/or make written or verbal representation either in support of or in opposition to the proposed Official Plan Amendments, Zoning By-law Amendment and Category 3, Class "A" Licence Application. If you wish to be notified of the adoption of the proposed Application for Official Plan Amendments, Zoning By-law Amendment and Category 3, Class "A" Licence Application or of the refusal of the proposed Application for Official Plan Amendments, Zoning By-law Amendment and Category 3, Class "A" Licence Application, you must make a written request to Corrina Giles, Town Clerk, Town of The Blue Mountains, P. O. Box 310, 32 Mill Street, Thornbury, ON N0H 2P0.

Duncan noted that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Town of The Blue Mountains before the proposed Application for Official Plan Amendments, Zoning By-law Amendment and Category 3, Class "A" Licence Application is adopted, the person or public body is not entitled to appeal the decision of Council of the Town of The Blue Mountains to the Ontario Municipal Board.

Duncan noted that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Town of The Blue Mountains before the proposed Application for Application for Official Plan Amendments, Zoning By-law Amendment and Category 3, Class "A" Licence Application is adopted, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to add the person or public body as a party.

Duncan noted additional information relating to the proposed Applications for Official Plan Amendments, Zoning By-law Amendment and Category 3, Class "A" Licence Application is available for inspection during regular office hours at the Planning Division of the Planning & Building Services Department, 32 Mill Street, Thornbury or by calling (888)258-6867 or (519)599-3131 Ext. 248.

Duncan noted at this public meeting, the Town seeks to receive comments to aid in our decision-making process. It should be noted that a decision will not be made at this public meeting. The Planning Division will bring recommendations forward to a Committee Meeting at a future date following this public meeting.

Chair Duncan McKinlay introduced Barb Heerschap, Administrative Assistant, County of Grey and Scott Taylor, Senior Planner, County of Grey and Wayne Fitzgerald, Mayor of Grey Highlands.

Scott Taylor then read correspondence received from Grey Sauble Conservation Authority, Historic Saugeen Metis Lands & Resources Department, Ministry of Municipal Affairs & Housing, Miriam Vasni of D. C. Slade Consultants Inc. on behalf of Andres Paara and Peter & Sarka Hartman.

Clerk for the Town read correspondence received from Transportation & Public Safety Department, County of Grey and acknowledged receipt of all documentation read by County of Grey.

Chair Duncan McKinlay asked Scott Taylor from the County of Grey if he would like to speak. Scott advised that if you wish to receive notice of future meetings or this application or the County decision you can provide them with a letter tonight or send to County of Grey Planning Department, 595 9th Avenue East, OWEN SOUND, ON N4K 3E3

Planner Shawn Postma made a presentation on behalf of the Town for the project outlining the property, surrounding properties where there are a number of extraction pits, the shared laneway to Grey Road 113, surrounding employment land uses, the municipal landfill site and extraction on north side of landfill site. Shawn advised that staff will report back to Committee at a future date and are only collecting information at the meeting tonight.

Brandon Ward of Cuesta Planning Consultants advised that he has been hired by the applicant to co-ordinate approvals on their behalf. He advised this is a joint public meeting to amend the County Official Plan and The Blue Mountains Official Plan and Zoning By-law. Notice was also provided for an Aggregate Resources Act Class A License Application in accordance with the required standards of the Aggregate Resources Act and the Planning Act, notice was also posted on the property and advertised in the Meaford Express and Courier Herald on September 7, 2011. Brandon advised they have a 45-day commenting window and noted that October 22nd, 2011 is the last day for submitting comments to them with respect to this proposal.

Brandon spoke with respect to the maximum anticipated extraction of about 200,000 tonnes per year, described the approximate area of the proposed pit, soil in the area and life span. Trees will be removed as extraction advances. Rehabilitation will occur as extraction advances and filled in. The operating hours of the proposed pit will be 7:00 am to 7:00 pm Monday to Saturday which is consistent with other pits. Brandon advised that a SAAR Environmental Study was completed in 2009. A Stage 1 & 2 archeological was completed in 2008 and a Stage 2 field investigation was completed. A hydrogeological assesement was also completed.

Brandon further noted that a former extraction pit is located at the back of the property. This pit was extracted in the 1980's and has been rehabilitated back into specialty agriculture.

Brad Benson of Genevair advised that a hydrogeological assessment and review of physiography of site has been completed and there are monitoring wells on site. Brad advised that a Class A Category 3 license has been applied for.

Brandon confirmed that the apple orchard was to be removed and replanted as extraction occurs.

Brandon explained that the visual impacts must be considered within the Breadner lands and noted the Ardiel pit to north and rural industrial lands to the south. A berm has been provided along the licenced boundary along Grey Road 13. The lands to the south are screened by orchard with Apple Valley juice facility to the south east of licenced boundary. There is a 220 metre separation distance which is sufficient mitigation for visual impacts and Apple Valley juice facility also provides buffering.

Brandon noted that a Noise Study is required to be completed for sensitive land uses within 150 metres from the licenced boundary. The Breadner residence on the gravel pit property is within the 150 metres, the next nearest residence is approximately 220 metres away. Therefore a noise study is not required under the guidelines.

Brandon noted that dust has been raised as an issue of concern and this will be mitigated on site.

It was confirmed that the Breadner site had quality aggregate resources and was in a specialty crop area. They confirm to extract the aggregate and rehabilitate the site back to specialty crop lands.

Duncan thanked Brandon from Cuesta for his presentation.

Councillor Joe Halos questioned what perched ground water was. Brandon confirmed it is water pockets above the ground water table. Chair Duncan McKinlay advised it is man made recharge.

Brandon advised that it was observed the Apple Valley Juice processing facility had rotting apples from water. Perched water exists above the actual water table and occurs where there is granular soil and clay type layer. The snow melt moves downward and continues below the clay layer to soils that are no longer saturated.

Chair Duncan McKinlay asked if any members from the public wished to speak to this application and asked that they please provide their name and address for the minutes.

John Beerworth of 788267 Grey Road 13 abuts the current access of the E C King pit. He moved here from Toronto one and a half years ago knowing what was going on behind him. He confirmed that he will submit comments on the Category 3, Class "A" Licence Application to Cuesta Planning Consultants by October 22nd, 2011. Chair Duncan confirmed this date and advised that he could submit written comments to The Blue Mountains with respect to the Official Plan

Amendment and Zoning By-law Amendment and the County of Grey with respect to the Official Plan Amendment within the next two weeks.

John indicated that one comment that looms fairly large is with respect to the Zoning By-law Amendment which would permit a portable asphalt facility. Brandon Ward from Cuesta Planning Consultants confirmed that there is no portable asphalt plant proposed on this property and confirmed that he made reference to portable processing to be used on the site. Brandon confirmed they would need to amend the plan if they wished a portable asphalt plant.

John advised that he does have a concern with greater traffic along the road and confirmed that he will express his concerns in writing.

Harvie Reekie of 727467 21st SDR farms, the adjacent property, noted he has no opinion on this.

Dennis Breadner, applicant, lives at 788227 Grey Road 13. Dennis stressed upon a couple of facts Brendon mentioned with respect to the importance of agriculture and noted that his proposed pit has a micro climate. Dennis advised that the orchard takes a lot of water to get a tree started as his soil has gravel pockets, sand pockets and soil pockets. Dennis confirmed that it costs less to farm his land after the gravel has been removed. Dennis advised that the orchard will be replaced after this proposal is completed.

Dennis made reference to the comment raised in the submission from Peter Hartman with respect to a hole. Dennis confirmed that this will not be the case as the land will be at the same level his house now is. With respect to the juice plant next door, Dennis confirmed the lagoons were decommissioned so there should be no problems. Dennis confirmed that he had water issues before which have been rectified with the lagoons sitting empty and hopefully everything will be back to normal in that area. Dennis advised that the gravel from his pit is exceptionally good gravel. Dennis advised that the area where Mr. Paara's house is has a berm so Mr. Paara will not see the extraction going on.

Catherine Eaton lives at 827417 Grey Road 40 which is located south west of the Breadner pit. She advised that her house fronts onto the Beaver River which acts as a tunnel and is wondering about the crushing noise. She confirmed that she does hear his water pump noise and questioned if the crushing will be more noise. She also expressed concern with respect to the potential for devalue of her property which her real estate agent has confirmed will happen. Mr. Ward, on behalf of applicant, answered her question about the crushing process. He confirmed that he cannot answer her question about noise and the crushing operation because he is not aware of the decibel levels set out by the MOE with respect to the crushing operation. Mr. Ward advised that the E C King pit has a processing facility on their existing pit. Mr. Ward confirmed that the crushing will be on the Breadner property and there will be a large berm there. Mr. Ward

asked Catherine Eaton if she hears the King pit. Catherine Eaton confirmed that she hears his water pump. Dennis confirmed that his pump will not run as often.

Duncan McKinlay advised Catherine Eaton that he has attended many public meetings throughout the County with respect to gravel pit proposals and has often heard they will de-value properties. Duncan confirmed that the Committee cannot make a comment on the de-valuing of her property value. Catherine advised that her property is for sale now.

Chair Duncan McKinlay asked if any person from the public wishes to make comments related to this proposed gravel pit.

Chair Duncan McKinlay declared the Public Meeting closed at 8:15 p.m. as no one wished to speak.

**B.3 Notice of Application for Consent – B09-2011 and Zoning By-law Amendment
Part Lot 35, Concession 11, Part of Part 1, RP 16R-2045 - Beaver Valley Apple Orchards Ltd. c/o Tom Kritsch**

Chair McKinlay read the Notice of Public Meeting to receive agency and public comments with respect to an Application for Consent and Zoning By-law Amendment. The purpose and effect of the consent is to consider a request to sever a 14.8 hectare vacant agricultural parcel on the property, and deed it as a lot addition to the existing 0.8 hectare vacant rural residential parcel to the west. A 20.0 hectare vacant agricultural parcel would be retained.

The purpose and effect of the by-law would be to address a potential condition of Consent on Application B09-2011. The consent application proposes to sever a 14.8 hectare vacant agricultural parcel on the property, and deed it as a lot addition to the existing 0.8 hectare vacant rural residential parcel to the west. A 20.0 hectare vacant agricultural parcel would be retained. An amendment is required to recognize the proposed new lot area and lot frontage of the proposed newly enlarged parcel and rezone the existing residential lot into similar zoning of the farmlands; and delineate the environmental hazard lands associated with the watercourses.

The effect of this By-law would be to recognize the proposed new lot area and lot frontage of the proposed newly enlarged parcel and rezone the existing residential lot from the Rural Estate Residential (RER(a)) Zone to the General Rural Exception 231 (A1-231) Zone; and rezone the environmental hazard lands associated with the watercourses to the Hazard (H) Zone.

The subject lands of this Consent are legally described as Part Lot 35, Concession 11; Part of Part 1, RP 16R-2045 and the subject lands of this By-law are legally described as Part Lot 35, Concession 11; Part of Part 1, RP 16R-2034; Part 3, RP 16R-3996, Town of The Blue Mountains.

Duncan noted any person or agency may attend the Public Meeting and/or make written or verbal representation either in support of or in opposition to the proposed Consent and Zoning By-law Amendment Applications. If you wish to be notified of the adoption of the proposed Application for Zoning By-law Amendment or Consent, or of the refusal of the proposed Application for Zoning By-law Amendment or Consent, you must make a written request to Corrina Giles, Town Clerk, Town of The Blue Mountains, P. O. Box 310, 32 Mill Street, Thornbury, ON N0H 2P0.

Duncan noted that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Town of The Blue Mountains before the proposed Application for Zoning By-law Amendment or Consent is adopted, the person or public body is not entitled to appeal the decision of Council of the Town of The Blue Mountains to the Ontario Municipal Board.

Duncan noted that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Town of The Blue Mountains before the proposed Application for Zoning By-law Amendment or Consent is adopted, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to add the person or public body as a party.

Duncan noted additional information relating to the proposed Application for Consent and Zoning By-law Amendment is available for inspection during regular office hours at the Planning Division of the Planning & Building Services Department, 32 Mill Street, Thornbury or by calling (888)258-6867 or (519)599-3131 Ext. 269.

Duncan noted at this public meeting, the Town seeks to receive comments to aid in our decision-making process. It should be noted that a decision will not be made at this public meeting. The Planning Division will bring recommendations forward to a Committee Meeting at a future date following this public meeting.

The Clerk then read correspondence received from Planning & Development Department, County of Grey, Transportation & Public Safety, County of Grey, Grey Sauble Conservation Authority and John and Valya Orr.

Planner Bryan Pearce made a presentation on these applications on behalf of the Town.

Planner Miriam Vasina of D. C. Slade Consultants Inc. made a presentation on behalf of applicant.

Miriam confirmed that the retained parcel has servicing and the house on the property burnt down a few years ago. Access to retained parcel is through a laneway to be 10th Line and the applicant will provide a new access point through a smaller lot onto the 11th Line. Both roads are public roads maintained year round. Miriam confirmed that these applications comply with the County of Grey Official Plan and the Town has very similar designations on the lands in the settlement area being the agricultural designation with the smaller parcel having a rural designation. The Town policies are stringent and say that productive lands of 10 hectares or more. The 10 metre laneway could be a farm parcel for this Special Agriculture parcel.

Chair Duncan McKinlay asked if any members of the public had questions with respect to the application.

Keri Saley, 397251 11th Line questioned if the thin strip of land next to her house would become a farm access which would create an issue for them.

Planner Bryan Pearce advised that along the 20 metre strip of land there will be hazard delineations on it. This is a regulated area under the Conservation Authority so a permit would be required.

Keri advised that the 11th Line is a narrow dirt road not quite 2 lanes making it tight for 2 cars to pass and suggested that truck traffic could pose problems. Keri further advised that the bridge on this road is narrow also.

Chair Duncan McKinlay asked Keri if she could provide something in writing to the Town within the next week or 10 days.

Alex Juchymenko, 125 McGuire Lane advised that he owns the property across the road. He questioned if a building was put on lot addition is there any comment on where this building is going to be and questioned if the building would be located within provisions of the Zoning By-law setbacks. He advised the existing lot is vacant and will be subject to setback to lot lines.

Chair Duncan McKinlay advised the Official Plan recommends that buildings on specialty crops lands be located where it is the least productive part of the lands and the suggested area was noted adjacent to 11th Line access. Future owners would be bound by that envelope and could build where they can put a driveway in and drill a well.

Dave Rock lives 6 lots south of the subject lot on the 11th Line and questions the current water drainage from the west side ditch of the 11th line. Two culverts are under road at the subject lot and other culvert across from the small access on the 11th line and noted clarification and confirmation that flow patterns will be maintained.

Bryan confirmed there is no development potential change with this and confirmed that any site alteration under Conservation Authority regulated areas need their clearance. Bryan confirmed that Engineering & Public Works would require an entrance permit for access proposals and under this process the culvert will be sized accordingly.

Dave questioned if this was an appropriate time to ask for improvement and timing to culverts on the 11th Line.

Chair Duncan McKinlay advised that he was not aware of where this road stood in the Five Year Roads Needs Study.

Dave asked about speed limit signs on the 11th Line as well and was advised that Engineering & Public Works would deal with this also.

Dave questioned the proposed building envelope on 11th line lot and questioned where the building envelope can and cannot extend.

Bryan advised the current lot that Tom owns has 45 metres of frontage of specialty agriculture lands. Bryan noted the need to keep in mind that the northerly part would be zoned hazard as the stream comes along that side and there is no development permitted within that area. Bryan confirmed the sideyard setback of 8 metres.

Dave asked if this information is available for review by general public. Bryan advised he could provide details on this.

It was questioned the agricultural building blocking water views on 11th line.

Bryan advised that he can help him to understand what the constraints are on this little strip of land and asked if he could submit in writing in next week or 10 days before reports comes back to Committee.

Chair Duncan McKinlay asked if any person from the public wishes to make comments related to this proposed gravel pit.

Chair Duncan McKinlay declared the Public Meeting closed at 8:55 p.m. as no one wished to speak.

**B.4 Notice of Application for Zoning By-law Amendment
Town Plot Pt Lots 35 and 36, N Arthur St Pt. Lots 35 to 37 S King St RP
16R2841, Part 2 - 960121 Ontario Inc. (Haven's)**

Chair McKinlay read the Notice of Public Meeting to receive agency and public comments with respect to an Application for By-law Amendment. The purpose of this By-law is to consider a request by the applicant to rezone the subject lands for future commercial uses. There is no development proposed on this site at this time. The lands are designated Commercial within the Town of The Blue Mountains Official Plan.

The effect of this By-law is to rezone the subject lands from the Residential 'R3' Zone to the General Commercial 'C2-h' Zone. The General Commercial 'C2' Zone permits a wide range of commercial uses.

The subject lands of this By-law are legally described as Town Plot Pt Lots 35 and 36 N Arthur St, Pt Lots 35 to 37 S King St., RP 16R2841 Part 2, Town of The Blue Mountains.

Duncan noted any person or agency may attend the Public Meeting and/or make written or verbal representation either in support of or in opposition to the proposed Zoning By-law Amendment Application. If you wish to be notified of the adoption of the proposed Application for Zoning By-law Amendment, or of the refusal of the proposed Application for Zoning By-law Amendment, you must make a written request to Corrina Giles, Town Clerk, Town of The Blue Mountains, P. O. Box 310, 32 Mill Street, Thornbury, ON N0H 2P0.

Duncan noted that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Town of The Blue Mountains before the proposed Application for Zoning By-law Amendment is adopted, the person or public body is not entitled to appeal the decision of Council of the Town of The Blue Mountains to the Ontario Municipal Board.

Duncan noted that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Town of The Blue Mountains before the proposed Application for Zoning By-law Amendment is adopted, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to add the person or public body as a party.

Duncan noted additional information relating to the proposed Application for Zoning By-law Amendment is available for inspection during regular office hours at the Planning Division of the Planning & Building Services Department, 32 Mill Street, Thornbury or by calling (888)258-6867 or (519)599-3131 Ext. 248.

Duncan noted at this public meeting, the Town seeks to receive comments to aid in our decision-making process. It should be noted that a decision will not be made at this public meeting. The Planning Division will bring recommendations forward to a Committee Meeting at a future date following this public meeting.

The Clerk then read correspondence received from Planning & Development Department, County of Grey and Grey Sauble Conservation Authority.

Planner Shawn Postma made a presentation on this application.

Shawn advised the lands are north east of Arthur & Victoria Street. The adjacent lands to the south are also in the same ownership. They are considered separate parcels and both parcels are for sale with the same zoning on both parcels. Shawn confirmed there is no development application in front of the town at this time.

Shawn advised that just off Arthur Street West is Highway 26 under the connecting link. There are other commercial uses and older uses in this area. Commercial are residential uses in older plans of subdivision. The Official Plan designation is commercial. A holding h symbol will require site plan approval prior to any development occurring on the property.

Joe Gardhouse who represents the owner of the property advised that they wish to bring this piece of land in compliance with the Official Plan and Zoning.

Chair Duncan McKinlay asked if any member of the public had questions or comments with regard to this application.

Sylvia Ridley, 80 King Street West noted that she is the first property on the north west corner of Victoria & King Street West which is designated commercial already.

Chair Duncan confirmed that this application is to make zoning align with the Official Plan designation of commercial.

Sylvia advised that if there is no plan and wishes to change the designation, she is concerned about what might go in there. She feels future development could impact the water course or her property.

Chair Duncan McKinlay advised that the Conservation Authority have identified measures in place to protect this and the plan is to have a holding zone zoned for a broad range of commercial uses. A Site Plan application must be filed which has a lesser public process.

Sylvia asked if it is changed from residential to a C2h zone, will residents be advised as to the kind of uses (i.e. gas station or garden centre) and is there any kind of notice on that. Shawn advised that through the Site Plan Approval process there no requirements for public notification. Sylvia asked if there were policies in the Official Plan to provide public notice on Site Plan Application and Shawn confirmed that he would check into this and get back to her.

Sylvia Ridley asked if Arthur Street is zoned residential or commercial. Shawn confirmed it is zoned commercial C2 which is subject to a broad range of commercial uses.

**D.3 Application for Consent – B21-2009 – PL.11.112
Part 3, RP 16R-1831; Parts 1, 2, 4, 7, 11, 15 to 20, RP 16RF-6401; being Part
Lot 10, Concessions 1 & 2 - 589880 and 589882 Grey Road 19 - 453294
Ontario Inc., c/o Paul Phelan**

Moved by: Michael Martin

Seconded by: Joe Halos

THAT Council receive Planning Staff Report PL.11.112, “Application for Consent File No. B21-2009 – 453294 Ontario Inc c/o Paul Phelan, President; Part 3, RP 16R-1831; Parts 1, 2, 4, 7, 11, 15 to 20, RP 16R-6401; Being Part Lot 10, Concessions 1 and 2; 589880 and 589882 Grey Road 19; Town of The Blue Mountains”; and

THAT Council authorize Consent No. B21-2009, subject to the following conditions:

1. That the Applicant meet all the requirements, financial and otherwise of the Town, for the Certificate of Consent to be issued.
2. That the Applicant provide a description of the land which can be registered in the Land Registry Office.
3. That the severed parcel be deeded as a lot addition to the property abutting to the south in accordance with Section 50 (3) of the *Planning Act, R.S.O. 1990*.
4. That any existing mortgage commitment on the severed parcel be extended to cover the whole, newly created parcel.
5. That a Consent Agreement be executed with the land owner to the satisfaction of the Town. And further

THAT Council authorize the Mayor and Clerk to execute a Consent Agreement in a form approved by the Town’s Director of Planning and Building Services and the Town’s solicitor, and be registered in the applicable land registry office, **CARRIED**

**D.4 Application for Zoning By-law Amendment & Site Plan Approval - PL.11.107
Part Lots 13 to 15, Concession 2 & 3 – 636697 Ontario Limited – Scenic
Caves Nature Adventure**

Moved by: Michael Martin

Seconded by: Gail Ardiel

THAT the Planning Committee receive Planning Staff Report PL.11.107, “Application for Zoning By-law Amendment and Site Plan Approval – 636697 Ontario Limited, Scenic Caves Nature Adventure, Part Lots 13 to 15, Concession 2 & 3, Town of The Blue Mountains”; and

THAT Council enact a Zoning By-law Amendment to:

1. modify Exception 45 to also permit a maximum 50 square metre train cover structure in addition to the existing buildings and structures located on the subject lands;

2. modify Exception 154 to also permit a maximum 11 square metre refreshment stand and a maximum 750 square metre storage building in addition to the existing uses, buildings and structures located on the subject lands;
3. modify the existing building envelopes on the subject lands to also include a storage building envelope and a suspension bridge / refreshment stand building envelope.

THAT Council grant Site Plan Approval pursuant to Section 41 of the *Planning Act* for the construction of a maximum 50 square metre train cover structure, 11 square metre refreshment stand and a maximum 750 square metre storage building.

THAT Council authorize the Mayor and Clerk to execute an Amending Site Plan Agreement to the November 4, 2010 Site Plan Agreement in a form approved by the Director, Planning & Building Services and the Town's solicitor, **Unanimously CARRIED.**

D.5 Proposed County Official Plan Amendment No. 110, Housing Policies – PL.11.110

Chair Duncan McKinlay advised that Town staff has met with County staff on this document which has not gone to public process.

Planner Cindy Welsh confirmed that the Town is talking to County about Item 3 and 4 and confirmed that the County is still in the preconsultation process. Cindy noted with respect to item 3 there is a difference between 20% & 25% for affordable housing. The County did check with their consultant and his response is attached. Item 4 – the consultant comments are attached.

Since receiving these comments Cindy confirmed she will talk to Randy as they are in preconsultation stage of this amendment.

Councillor Michael Martin feels that the County is getting too particularized in setting some of these targets and wondered if they are exceeding their jurisdiction. Michael noted there are things that are concerning with this report.

Chair Duncan noted that local planning be different on a town basis. He is looking forward to this in discussions.

Michael felt the lower tier should have ability and flexibility. Housing does not have to be in one area.

Duncan confirmed that he is looking for that comfort in our discussion.

THAT Council grant site plan approval pursuant to Section 41 of the *Planning Act* conditional upon the Owner obtaining “Accepted For Construction” Drawings related to site servicing and grading and drainage from the Town’s Department of Engineering & Public Works and the Owner entering into an Agreement with the Town related to securing the works and facilities related to the site; and,

THAT Council authorize the Mayor and Clerk to execute an Amending Site Plan Agreement in a form approved by the Director, Planning & Building Services and the Town’s solicitor, **Unanimously CARRIED**

**D.8 Zoning By-law Amendment and Draft Plan of Condominium Applications – PL.11.115
960121 Ontario Inc. (Haven’s)**

D.8 correspondence from Don Kerr was pre-circulated with respect to this staff report.

Director Planning & Building Services, David Finbow spoke with respect to this application.

David confirmed the Town, County and Conservation Authority have been discussing natural heritage & hazard matters on this application. Through work on the Terrasan project the proponent put forward a buffering from wetlands in the PSW area – 1/3 of lands are a PSW. The lands to the south are on the Terrasan property and development potential on this site has been pinched by this by the location of SWMF – stormwater with respect to quality before it is discharged from the site. The original concept plan was presented 2 years ago. There is a potential for 19 unit yields within Official Plan. Looked at this and concluded that a 19 lot development is not possible to protect or enhance natural heritage and hazard matters creating north and south connectivity.

David confirmed that there is now proposed 16 lot subdivision to the south of the lots and there will be a buffer from the PSW on the southerly lands and buffer to the northerly lots. To the east of the lot fabric, a storm water management facility can exist. They were at a point where the Conversation Authority, peer review consultant, Town and County were in a position and headed in the right direction for a settlement on the issues. This was referred to the Ontario Municipal Board for draft plan and zoning by-law. David confirms he received direction on what Council would like us to take with respect to Minutes of Settlement. There was a prehearing conference and Blue Mountain Watershed Trust were reasonably comfortable and waiting to look at draft plan conditions, received direction to proceed with discussion and prehearing discussion before the board.

Councillor Bob Gamble asked if this property is close to servicing. David confirmed with water and require to sanitary system to the east. Full municipal services are required in this area.

Bob noted that because it is a Plan of Condominium do the roads meet the requirements of fire services. David advised that he has not taken a look at the detailed design and he will take a close look at our engineering standards. They need to satisfy themselves as to what is necessary.

Bob questioned where they hook into sanitary service with respect to water. Is it on the easterly extension of Brophy's Lane. Bob suggested there was an elevation issue that needed to be addressed.

Director of Engineering & Public Works, Reg Russwurm advised they would have to install forcemain across the road into the treatment plan. Gravity to forcemain and pump up.

Councillor Michael Martin noted that in reviewing the recommendation what exactly are they asking for? Are they asking Council to support draft plan which decreases density and consent to arrangements.

David confirmed that he is seeking a recommendation that staff to work towards a settlement with respect to this application.

Chair Duncan suggested that we receive the report or support draft plan as presented and consent to prehearing conference.

David suggested to direct staff to work towards a settlement based on the revised draft plan.

Michael asked if this would come back to Council. David advised that it would.

Moved by: Michael Martin Seconded by: R. J. Gamble

THAT Council receive Staff Report PL.11.115 respecting "960121 Ontario Inc. (Havens) - Zoning By-law Amendment and Draft Plan of Condominium Applications"; and,

THAT Council direct staff to work towards a settlement at the Ontario Municipal Board with the various parties based on the draft plan and issues noted in staff report PL.11.115, **CARRIED**

That the Official Plan Steering Committee Minutes of June 27, 2011 be received for information purposes, **CARRIED**

Councillor Gail Ardiel asked about the minutes from the last public workshop. Planner Cindy Welsh advised they will go to the Steering Committee prior to them being made public.

F. Correspondence

F.1 Bill Johnston Minor Variance #A15/2011 letter, decision and minor variance report to Committee of Adjustment

Director, Planning & Building Services, David Finbow advised an Application to the Committee of Adjustment for a Minor Variance to allow for an addition to the west side of existing dwelling deficient of the required setbacks in Agricultural Area.

David confirmed the Planning Report enacted a Zoning By-law to recognize existing deficient of 7.5 metres. The existing dwelling encroached on this and the Planning Staff Report spoke to this. Committee of Adjustment considered the application and granted approval of the Minor Variance. David suggested that Council decide what they would like to do with it.

David confirmed that no one appeared in opposition to the application and there is no impact to anyone with respect to this application. He advised the Committee did not consider the 4 way test and that the report spoke to buffers between ag. Uses and residential. The Committee determined this minor in nature.

Chair Duncan McKinlay understands the points they were looking at as it was a long way away and does not bother anyone.

Councillor Michael Martin questioned are we being asked to appeal it. David confirmed that Committee needs to be aware of it and he is not requesting an appeal.

Councillor Bob Gamble noted his concerns when it comes to sideyard setback criteria with variances being stretched too far.

Michael Martin noted the last time such an issue was brought forward for an appeal it wound up with a withdrawal of the application and settlement to the parties. Michael noted this case is not similar and respects the planning department's position.

Moved by: R. J. Gamble

Seconded by: Michael Martin

THAT the Bill Johnston Minor Variance #A15/2011 letter, decision and minor variance report to Committee of Adjustment be received for information purposes with no further action being taken, **CARRIED**

Chair Duncan McKinlay advised that we have had a couple of these within the last 2 months. Duncan suggested that decisions can be raised as new business to the Committee but felt this one worked out okay.

Councillor Michael Martin noted that he is starting to get into some of these and does not want to second guess Committee of Adjustment. Michael suggested that the CAO have a discussion with David to work towards developing a policy and noted it would be useful to know what applications you have recommended against and the Committee disagreed with. Michael agreed with the 4 way test approach by Planning Staff.

Director of Planning & Building Services, David Finbow appreciates the comments made by Michael. David feels that the Planners do an excellent job providing planning advice to the Committee and he also appreciates the work that Committee does. David will speak with Troy but will continue to include decisions that are not consistent with Planning staff.

G. Next Meeting Date

November 7, 2011

H. Adjournment

Moved by: R. J. Gamble

Seconded by: Gail Ardiel

THAT this Planning & Building Committee meeting does now adjourn at 10:10 p.m.