

## Minutes - The Blue Mountains Planning Council Meeting



**MEETING DATE:** February 20, 2008 – 7:00 pm  
**LOCATION:** L. E. Shore Memorial Library  
**PREPARED BY:** Corrina Giles, Deputy Clerk

### A. Call to Order

- Mayor Anderson called the meeting to order with all members in attendance, save Deputy Mayor McKinlay, absent because of vacation
- Also in attendance were Director of Planning Peter Tollefsen, Manager of Development Planning Rob Armstrong, Planner Bryan Pearce, Senior Policy Planner Cindy Welsh, Manager of Environment Services John Caswell, Director of Building and By-law Enforcement David Finbow, Director of Engineering and Public Works Reg Russwurm, Director of Recreation Shawn Everitt, Director of Finance Rob Cummings, Deputy Treasurer Elizabeth Thompson and Craigleith Depot Curator Suzanne Ferri
- Council then paused for a moment of Personal Prayer or Reflection
- Approval of Agenda  
Moved by: Michael Martin                      Seconded by: R. J. Gamble  
THAT the Agenda of February 20, 2008 be approved as circulated, including any items added to the Agenda, Carried.
- No member declared a Pecuniary Interest with any matter as listed on the Agenda, save Councillor Martin who declared a Pecuniary Interest with respect to Item C.3, Lora Bay Corporation and occasional employment of his spouse.

### B. Presentation

Mayor Anderson then welcomed Roads & Drainage Superintendent Don Hutchinson and his wife Marlene Hutchinson to the Planning Council Meeting and asked Don to come forward for a presentation of a Certificate of Appreciation from the Honourable Helena Guergis, M.P. and from the Town of The Blue Mountains.

Mayor Anderson on behalf of Council and Staff commended Don for his hard work and dedication to the Town for over 37 years and noted that he would be greatly missed by the Town in his retirement.

Don thanked Mayor Anderson and retired from the meeting.

#### 1. Estimated Revenues and Expenditures – 2008 Town Purposes Budget

Mayor Anderson then welcomed Director of Finance Rob Cummings.

Rob explained the critical milestones of the budget and noted the 2008 budget is a product of many decisions made by the Town and is a baseline for the control of expenditures, not including tax rates, fees and charges or water rates.

Ellen thanked Rob for his presentation.

Council then dealt with the following Resolution:

Moved by: John McKean                      Seconded by: Michael Martin

THAT By-law No. 2008-19, being a By-law to adopt a budget of the estimates of all sums required for 2008 for own purposes;

AND FURTHER that By-law No. 2008-19 includes all sums required for 2008 for water and wastewater estimates and estimates for all sums required for user fee supported services and taxation purposes be hereby enacted as passed this 20<sup>th</sup> day of February 2008.

In speaking to the Motion, Councillor Gamble expressed concern with the increase of expenditures and the increase to the mill rate. Bob noted that Council must consider tax payers on fixed incomes and the lost manufacturing jobs in the area and for this reason, Bob noted that he would not support the by-law.

Mayor Anderson then noted through previous discussions Council agrees with Councillor Gamble, adding it must be noted that TBM is a growing municipality and our largest issue is to continue to address growth issues, but further noted that we must cut back as well. Ellen further noted she would prefer a zero increase, but Council cannot do that at this time. Ellen further noted that Council appreciates that things are changing in the area and that the high cost of living in this area compared with the average wage in the area should be noted.

Councillor Martin then noted that he too is concerned with tax increases, but questioned the increase as being considered too high compared to what parameters. Michael noted that Council had the opportunity to go through the upcoming Town projects and that it was difficult to eliminate anything. Michael further expressed that it is a modest increase and noted the cost of all goods and services is increasing.

Michael further noted that a number of the increases in the budget are because of things that Council and Staff have no control over, including the cost of project construction and water treatment regulations. Michael further noted the budget is appropriate in today's circumstances, concurring with Bob that not all residents can afford the same rates.

Council then voted on the Resolution, Carried.

## **C. Motions and Staff Reports**

### **C.1 PLANNING COMMITTEE OF THE WHOLE**

Moved by: R. J. Gamble                      Seconded by: John McGee

THAT Council do now move into Planning Committee of the Whole with Chair of Planning Michael Martin in the Chair, Carried.

### **C.2 Approval of Craigeith Depot Business Plan - #DOR.08.07**

Director of Recreation Shawn Everitt then endorsed the Craigeith Depot Business Plan as presented and reviewed through the budget process.

Councillor Gamble then commented that the Craigleith Depot Business Plan has been in the works for approximately ten years and noted extensive efforts by Craigleith residents and volunteers have made this project possible. Bob further noted it is a significant accomplishment to have the Business Plan before Council this evening.

Chair Martin concurred with Councillor Gamble, noting a number of volunteers made the Craigleith Depot Business Plan possible through their time and cash donations.

The Committee then dealt with the following Recommendation:

Moved by: Ellen Anderson      Seconded by: Cameron Kennedy

THAT Council receive Staff Report #DOR.08.07, "Approval of Craigleith Depot Business Plan";

AND THAT Council approve the recommendation therein, being the approval of the Craigleith Heritage Depot Business Plan dated January 3, 2008.

In speaking to the Motion, Councillor Gamble then recognized the fundraising efforts of volunteers and thanked Laura Gibson, who was present in the gallery, for her efforts.

Laura then spoke, noting she is excited about the Craigleith Depot and thanked Town Staff and Craigleith Depot Curator Suzanne Ferri for their efforts. Ms. Gibson introduced other volunteers in the gallery and noted she will be at the Depot to volunteer.

Mayor Anderson then thanked Ms. Gibson for her vision and her efforts.

The Committee then voted on the Recommendation, Carried.

**C.3 Application for Zoning By-law Amendment to remove Holding '-h' Symbol - Lora Bay Corporation – Phase 3 – Blocks 5, 7, 18 and Part Blocks 1, 15, 29 and 30, Registered Plan 16M-8 - #PL.08.22 RA**

Chair Michael Martin declared a pecuniary interest with respect to this item and occasional employment of his spouse and did not take part in related discussion or voting, Councillor McKean assuming the Chair.

Acting Chair McKean then read the Recommendation and asked Manager of Development Planning Rob Armstrong to review the Report.

Rob then reviewed the Report, noting that Notice of Removal of the holding symbol was given to interested parties who have requested notice and as well it was circulated to all residents on Sunset Boulevard adjacent to the lower lands. Rob further noted communication was received from residents Mr. and Mrs. Kennedy.

Rob then reviewed the Report and noted there is a general provision in the agreement which states the maximum first floor elevation is 1.5 metres above finished grade level and this figure can be increased as the house is moved back on the lot.

Rob noted the buffer area will be enhanced with spaded, mature trees.

Rob further noted that with respect to the Kennedy's lot, that Lora Bay has agreed to move an entrance and will install additional landscaping.

Rob noted that staff is recommending that Council not pass the By-Law at this time, adding that staff will speak with the Kennedys to confirm details.

Rob then noted a trail network will be provided to connect with the residential development in the upper block, confirming the trail will be owned by Lora Bay and the Town will have an easement on the trail for public use.

Rob noted the Lake Drive securities are being carried forward and includes all development charge credits plus development charges on Sunset Boulevard that were front-ended by the developer.

Rob further noted the parking lot area lands proposed adjacent to the Georgian Trail and Christie Beach Road are currently not owned by Lora Bay so the required parking lot cannot be completed yet. Rob further noted the Engineering Drawings are not yet approved, but are very close and noted there are technical issues outstanding.

Rob further noted one Lora Bay lot encroaches on the septic tile bed of a Keepers Cove lot and confirmed the holding symbol would be left on this lot until the septic issue is dealt with.

Councillor Kennedy then asked for clarification of the issues with the walkway up the ridge, Rob replying there are technical issues with respect to the overland drainage flow through and along the trail route.

Rob then addressed Mr. and Mrs. Kennedy, property owners at Lora Bay who then attended the meeting. Rob further noted he would meet with the Kennedys to discuss the details of landscaping.

Rob noted that pursuant to Minutes of Settlement an additional 30 trees, 6' in height, would be planted by Lora Bay. Rob further noted he will meet with Lora Bay representatives to ensure tree planting and maintenance occurs.

Councillor Gamble then questioned if there would be a stop sign erected at Lora Bay and Sunset Blvd, Director of Engineering and Public Works Reg Russwurm replying that a stop sign has not been recommended by the consultants as this is a low traffic road and there are not many distractions in this area. Reg further noted this is a 50 km zone.

Mr. Kennedy then spoke, noting he received the landscape plan from Rob and noted there was no minimum tree height standard and questioned if it could be addressed, Rob replying that trees will be spaded in but there is no minimum noted, further noting that typically spaded trees are 10' tall. Rob further noted he will propose 10' tall trees and will have discussions with Lora Bay prior to approval.

Mr. Kennedy then questioned the maximum first floor elevation of 1.5 metres above grade, Rob then reviewed the drainage plan and noted the 1.5 metres maximum first floor height above the finished roadway elevation.

Rob then noted that if there are any changes to be made that a Report would be brought back as an addendum report on March 3, 2008.

The Committee then dealt with the following Recommendation:

Moved by: R.J. Gamble                      Seconded by:                      Cameron Kennedy

THAT Council receive Planning Staff Report No. PL.08.22, "Application for Zoning By-law Amendment to remove Holding '-h' Symbol - Lora Bay Corporation – Phase 3 – Blocks 5, 7, 18 and Part Blocks 1, 15, 29 and 30, Registered Plan 16M-8;

AND THAT Council pass a Zoning By-law Amendment to remove the Holding '-h symbol for a portion of Phase 3 (88 single detached units).

Bob then moved that the Report be tabled to a later date, Carried.

Chair Martin then resumed the Chair.

**C.4 Memo – Niagara Escarpment Commission Permit #G/R/2007-2008/9121 – Craiglieth Ski Club / Andrew Brethour**

Director of Planning Peter Tollefsen reviewed the Report, noting Council did not initially support the Recommendation on January 21, 2008, adding that the addition would have had very little impact on the condominium corporation and noted that staff is now recommending Council not object to NEC granting the permit.

Peter then noted the owner of the cabin, Andrew Brethour, is in support of the condominium conversion of the cabins.

Councillor McKean then questioned how long it will be before the condo corporation is finalized, Rob Armstrong replying there was a meeting approximately one month ago and a revised application is being finalized showing less total units. Rob further noted they hope to have the condo corporation finalized later this year.

Councillor Gamble then questioned if some cabins may not be part of the condo corporation, Rob replying that some cabins will be removed at the expiry of the lease in 2011, further noting that it is these cabins that will not be included in the condo corporation.

Bob then questioned if there would be any complications to the Town if a cabin is not included in the condo corporation, Rob replying no, that this is a lease obligation and the Town's concern is emergency access.

Chair Martin then noted the correspondence from the NEC is addressed to Timo Hotari, Peter confirming Mr. Hotari is the builder and he is acting as agent for the owner.

The Committee then dealt with the following Recommendation:

Moved by: Ellen Anderson                      Seconded by:                      John McGee

AND WHEREAS Council did not support the Niagara Escarpment Commission Development Control Permit G/R/2007-2008/9121, Andrew Brethour, by resolution on January 21, 2008;



Cityview and Great Plains so that Council may understand what these programs do, Rob replying that I/T will do a presentation for council and suggested a lunch and learn session. Rob suggested this session be held once Grey County GIS mapping is obtained.

Bob then requested that over the next few months that I/T Coordinator, Cathy Bailey put together a summary for Council of the programs used by staff.

The Committee then voted on the Recommendation, Carried.

## **C.6 Zoning By-law Discussion Papers**

### **Discussion Paper: #7 – Adult Entertainment**

Senior Policy Planner Cindy Welsh then reviewed Discussion Paper #7, noting that Discussion Paper #6 deals with Gross Floor Area provisions, and that Discussion Paper #6 will be brought forward at a later date.

Cindy Welsh noted issues involved with adult entertainment and noted there are currently no policies in place to deal with adult entertainment establishments. Cindy advised that legal counsel has been retained on the issue and noted that the municipality cannot prohibit adult entertainment establishments, but further noted the municipality can regulate where these establishments can be located, as well as area, height and setbacks.

Cindy noted other municipalities were looked at in terms of the Official Plan and noted the Official Plan could allow adult entertainment establishments on employment lands. Further the municipality would have to allow a maximum of two establishments within the municipality.

Cindy further noted the Township of Collingwood and the Town of Thornbury Zoning By-Laws would have to be amended, and that amendment would transfer to the new comprehensive zoning by-law. Cindy further noted a requirement that adult entertainment establishments would have to be at least 1000 metres apart from a similar use.

Councillor McGee then questioned if an 800 metre setback would apply from all residential properties along Clark Street, but not within employment lands within the Horse Park, Cindy replying yes.

Cindy then noted the definition of Adult Entertainment Establishment covers other accessory uses associated with Adult Entertainment establishments.

Cindy noted the municipality can licence adult entertainment establishments and noted staff have researched the subject.

Bob then questioned the setbacks from the Provincial Highway, Clark Street and Grey Road #2 on the North East Side of Highway #26, Cindy answering the distance separation is 800 metres from sensitive areas, i.e. schools, residential, churches, day cares, libraries, community centres and parks.

Chair Martin noted that a lot of work has been done by the Planning Department and questioned if the Town could handle this issue under the Official Plan and subject to a specific zoning amendment, Cindy answering

that staff intends to bring this forward under the new Official Plan and in the new Zoning By-Law.

Michael then noted that limiting the number of establishments to two could be up to legal challenge and questioned if the County's Official Plan has any provisions in it dealing with this issue, Cindy replying no.

Cameron then noted that if the Town must regulate adult entertainment establishments, it could be difficult for an adult entertainment establishment to establish itself here given the setbacks required.

Michael then noted that Planning Staff are being proactive on the issue, Cameron noting that currently there is no regulation stopping prospective adult entertainment establishments.

Director of Building and By-Law Enforcement David Finbow then spoke, confirming the City of Richmond Hill had issue with adult entertainment establishments and that these establishments were set up in an industrial section of town and that they were policed. David further noted that Richmond Hill allowed a maximum of two establishments and that they were subject to regulations. David then noted he supports the Planning Department in their efforts on this issue.

Bob then questioned section 3.8 of the Paper dealing with Sensitive Setbacks and questioned a possible location in comparison to the Horse Park, Rob replying that the Horse Park lots have not been amalgamated yet and the streets shown on the diagram will change after amalgamation.

#### **C.7 Additions to Agenda**

Chair Martin then circulated the Grey Sauble Conservation 2007 Annual Report to Council and noted the cost to the GSCA to print the report is \$0.13 per report and further noted the Report was distributed in The Sun Times Newspaper. Michael noted the last page of the Report shows events throughout the year.

The Committee then voted to receive the Report:

Chair Martin then noted the Town of The Blue Mountains Chamber of Commerce Banquet is scheduled for February 27, 2008 at Lora Bay. Michael then polled Council to determine who would attend the Banquet.

Chair Martin then proposed a recommendation to support the Chamber of Commerce Banquet on February 27, 2008.

Moved by: Ellen Anderson      Seconded by: John McKean

THAT Council does hereby support the Chamber of Commerce Banquet on February 27, 2008, Carried.

#### **C.8 Planning Committee of the Whole to Rise**

The Committee then dealt with the following Recommendation:

Moved by: Ellen Anderson      Seconded by: John McGee

THAT the Planning Committee of the Whole do now rise, Carried.

## **D. Planning Council**

### **D.1 Call to Order - Planning Council**

Mayor Anderson then called the Planning Council to order and Council heard the Report from Planning Committee of the Whole Chair Martin, Michael noting while in Committee of the Whole Recommendations C2, C4 and C5, were adopted by Committee for recommendation to Council. Michael further noted the Chair declared a pecuniary interest with respect to Item C3 and that the Staff Report was received for information and tabled.

Council then dealt with the following Resolution:

Moved by: R. J. Gamble                      Seconded by:                      John McGee

THAT Council adopt and support the following Recommendations and Motions considered and passed by Committee of the Whole:

- C2, C4 and C5

Carried.

### **D.2 Lora Bay – Removal of Holding Symbol**

Mayor Anderson confirmed Agenda Item D.2 is removed from the Agenda as a result of Agenda Item C3 being tabled.

## **E. Reports and Minutes List – RECEIVE**

### **E.1 Engineering and Public Works Committee – February 12, 2008**

Moved by: R. J. Gamble                      Seconded by:                      John McKean

THAT the Engineering and Public Works Committee Report of February 12, 2008 be adopted as circulated, together with the recommendations contained therein.

In speaking to the Motion, Councillor McGee noted that the Engineering and Public Works Committee brought the Water and Wastewater Extension Plan forward and noted it will be completed over 20 years. John noted this was a lot of work and that Staff should be commended for their efforts.

John further noted that with respect to Lake Drive, that staff is proceeding expeditiously to receive quotes for consultant services rather than tender, as a cost saving measure.

Council then voted on the Resolution, Carried.

## **F. New and Unfinished Business**

Councillor Martin noted with respect to the procedure to release a holding symbol, in the future he would like to see more formalized deputation requests when speaking to the matter from the gallery.

Manager of Development Rob Armstrong then reviewed the procedure for releasing a holding symbol and noted if staff is in a position to recommend removal of the holding symbol, it could be removed one week after public meeting and deputations.

Michael suggested a procedure where the Clerk would organize deputation requests at the door so that the Chair would know the name(s) of any deputations and the number of deputations to speak at the meeting before the start of the meeting. Mayor Anderson then noted there could be a lot of people wishing to speak on the same issue.

Michael then noted on contentious issues the Staff Report could then be received at that meeting and tabled.

Director of Planning Peter Tollefsen then spoke, noting he sees merit in this procedure as staff may not know who is present at the council meeting and for what issue.

Michael then concurred that obtaining the name, address and issue of deputations would help Council and Staff.

**G. Next Meeting Date(s)**

March 3, 2008

**H. Confirmation By-law and Adjournment**

Moved by: R. J. Gamble      Seconded by:      Cameron Kennedy

THAT By-law No. 2008-21, being a By-law to confirm proceedings of the Council of the Corporation of the Town of The Blue Mountains on February 20, 2008, be hereby enacted as passed this 20<sup>th</sup> day of February, 2008, Carried.

Moved by: Cameron Kennedy      Seconded by:      John McKean

THAT this Planning Council meeting do now adjourn, Carried.

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Ellen Anderson, Mayor

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Corrina Giles, Deputy Clerk