

Minutes - The Blue Mountains Planning Council Meeting



MEETING DATE: March 3, 2008 – 7:00 pm

LOCATION: L. E. Shore Memorial Library

PREPARED BY: Stephen Keast, Clerk

A. Call to Order

- Mayor Anderson called the meeting to order with all members in attendance
- Also in attendance were Chief Administrative Officer Paul Graham, Director of Planning Peter Tollefsen, Manager of Development Planning Rob Armstrong, Senior Policy Planner Cindy Welsh, Planner Shawn Postma, Planner Bryan Pearce, Director of Finance Rob Cummings, Manager of Revenue Teresa Oakley, Director of Building and By-law Enforcement David Finbow, Director of Engineering and Public Works Reg Russwurm and Manager of Environment Services John Caswell.
- Council then paused for a moment of Personal Prayer or Reflection
- Approval of Agenda
Moved by: Cameron Kennedy Seconded by: R.J. Gamble
THAT the Agenda of March 3, 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 with regard to Agenda Items C.5 and D.2, Lora Bay Corporation and occasional employment of his spouse.

B. Public Meeting – Council Adjourned

B.1 Albridge Developments Inc. (Pristine Homes), Lots 1, 2, 3, 4 and 5, Registered Plan 1134

Mayor Anderson then called the scheduled Public Meeting to order and explained The purpose of this By-law is to address a technical requirement of a By-law in order to permit the construction of four multi-attached residential buildings on five separate lots within a registered plan of subdivision (Plan 1134). All of the subdivision lots were originally intended for single detached dwellings, but have since been rezoned (By-law 2005-82) for multi attached residential units and additional parking for the Alpine Ski Club. The By-law requires that prior to construction a Plan of Subdivision and/or a Plan of Condominium must be registered on the lands.

The effect of this By-law is to delete and replace Exception 204 on the lands in order to:

1. Establish a 0.0 metre interior side yard setback requirement from the lot lines in between Lot 1 and 2, Lots 3 and 4, and Lots 4 and 5.
2. Permit development on Lots 4 and 5 which does not have direct frontage and access onto an open and maintained municipal street
3. Delete the requirement for the approval of a plan of subdivision or plan of condominium prior to the removal of the holding ‘-h’ symbol as established through By-law 2005-82.

The affected lot lines and lots will be superseded by the future Plan of Subdivision and/or Plan of Condominium, however, this will not occur until after the dwellings are constructed. This also dictates the need to remove the requirement for a Plan of Subdivision or Plan of Condominium prior to the removal of the Holding ‘-h’ symbol.

The subject lands of this By-law are owned by Albridge Developments Inc. (Pristine Homes); and are legally described as Lots 1, 2, 3, 4 and 5 of Registered Plan 1134, Town of The Blue Mountains. As shown on the attached sketch.

Ellen further noted if a person or public body does not make oral or written submissions at a public meeting to the Town of The Blue Mountains in respect of the proposed Zoning By-law Amendment, the person or public body is not entitled to appeal the decision of Town Council to the Ontario Municipal Board; and may not be added as a party to the Hearing of an appeal before the Ontario Municipal Board.

The Clerk then noted Notice of the Public Meeting was given in accordance with the provisions of the Planning Act and read correspondence as received from the NEC and the Grey County Planning and Development Department.

Planner Shawn Postma then reviewed the Application, noting the intent was to move forward the construction of four, multi-attached residential buildings on five existing lots in Plan 1134.

Shawn noted the overall unit count in Plan 1134 would remain at 15 in total and the subject Application was technical in nature to allow the multi development. Shawn further noted the lands would be rezoned from the R7 to the R6 zone to reflect the revision from a common elements condominium to a standard condominium.

Shawn then noted adjacent lands had been previously zoned for parking use related to Alpine Ski Club.

As no-one further wished to speak Mayor Anderson declared the Public Meeting to be adjourned.

C. Motions and Staff Reports

Mayor Anderson then called the Planning Council meeting to order and remained in the Chair for discussion of Agenda Item C.5, Lora Bay Corporation, Planning Chair Martin having earlier declared a pecuniary interest with regard to the matter and occasional employment of his spouse.

C.5 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

Manager of Development Planning Rob Armstrong then reviewed the Report, noting it was similar to a previously deferred Report.

Rob then noted upgraded landscaping had been included to the satisfaction of adjacent landowners.

Rob noted a reference to the Common Elements Plan of Condominium had been added since the initial Report was considered, noting approval matters had been addressed under the Plan of Subdivision agreement.

Councillor Gamble then questioned status of the walkway and drainage course from the upper lands to the lower lands, Rob noting Staff were now satisfied with the proposed design, Director of Engineering and Public Works Reg Russwurm confirmed a re-design appeared satisfactory.

Deputy Mayor McKinlay then questioned when the Plan of Condominium would be considered at Grey County, Rob replying the matter would be at the next Planning meeting.

Planning Council then dealt with the following Resolutions:

Moved by: D.R. McKinlay 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);

AND THAT Council has no objection to the County approving the Common Elements Plan of Condominium on the basis that all matters related the approval have been addressed under the Plan of Subdivision and related Agreement, Carried.

NOTE: Councillor Martin had previously declared a pecuniary interest with regard to the matter and did not take part in related discussion or voting.

C.1 PLANNING COMMITTEE OF THE WHOLE

Moved by: D.R. McKinlay Seconded by: R.J. Gamble

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

C.2 Water and Wastewater Rates - #FS.08.06

Director of Financial Services Rob Cummings then reviewed the Report, recounting the shift from a flat rate structure to a mixed rate structure.

Ron then noted it was proposed to increase water rates by 14% in 2008 while decreasing wastewater rates by 11%, noting water was over-budget in 2007 while wastewater was under-budget.

Rob then noted rates are now consistent across the Town, adding the proposed rates are based on assumptions for Council to consider prior to setting final 2008 rates.

Rob noted the mixed rate ratio of 30/70 budget recovery/consumption based worked well and recovered the necessary amounts following a trial period with a 50/5- ratio.

Rob then reviewed estimates for 2008 billings based on water use levels and comparison with area municipalities, adding a public information session was scheduled for March 5 and a Public Meeting for March 26.

Mayor Anderson then questioned current reserves, Rob noting approximately \$2.4 million for water and \$8 million for wastewater.

Deputy Mayor McKinlay then noted support for the Report, adding vacant lots were not considered in the proposed rates and consideration of

deferred benefits to vacant lots could be considered by Council at the six month rate review.

Councillor Kennedy then requested a comparison of area commercial water rates.

Chair Martin then requested Staff consider vacant lot deferred benefits and commercial comparison during the July rate review.

Rob then noted additional information could be brought forward for consideration but Council had not committed to regular rate structure changes, Michael noting it may be Council's wish to reconsider rates.

Duncan requested clarification the rates considered for March 1 would be intended for the remainder of 2008, Rob replying that was the intent.

Councillor Gamble then noted deferred benefits may be considered for residences adjacent to up-fronted servicing works as well as for vacant lots.

The Committee then dealt with the following Recommendation:

Move by: D.R. McKinlay Seconded by: R.J. Gamble

THAT Council receive Finance Report #FS.08.06, "Establishment of Water and Wastewater Rates Effective March 1, 2008";

AND THAT Council authorize staff to present the proposed 2008 water and wastewater rates at a Public Information Session on March 5, 2008 with an increase of approximately 13% to the annual water charge (5/8" meter using 180 m3 of water per year) and a decrease of approximately 13% to the annual wastewater charge (5/8" meter using 180 m3 of water per year), Carried.

C.3 Planning Act Tariff of Fees - #FS.08.07

This Agenda Item was deferred to a subsequent meeting at the request of Staff.

C.4 Application for Consent File No. B25-2007 - Elka Seccombe, Lot 4, Registered Plan 880 - #PL.08.21

Planner Shawn Postma then reviewed the Report, noting Staff do not support the Application for Consent.

Shawn noted Official Plan policies support the open space nature and low density of existing subdivisions, with new subdivisions featuring smaller lots together with a 40% open space requirement, adding the Official Plan generally prohibits severance of existing lots in subdivisions.

Shawn noted the applicant's planning consultant compared the proposed lot with newer, smaller lots being developed in the area, the original Margaret Drive subdivision featuring larger lots based on private services.

Shawn further noted if other similar lots on Margaret Drive were severed in a similar manner, the overall permitted density of the subdivision would be exceeded.

Shawn then recounted a previous Ontario Municipal Board decision that overturned a Council decision to not grant severances in an existing subdivision that would have created three lots from two, each with two thirds of the existing frontage of the lots, adding the subject Application did not compare and the Board decision did not set a precedent.

Councillor Kennedy then questioned other lots on Margaret Drive with potential for severance, stating he believed the proposed severance would not change the character of Margaret Drive viewed from the road.

Councillor McKean then noted he observed four deer on the subject lands with other signs of wildlife, adding the presence of such a wildlife corridor may be due to the low density of the existing development.

Duncan then noted people have located in certain areas because of larger lots with a different character of development than the newer subdivisions.

The Committee then dealt with the following Recommendation:

Moved by: John McKean Seconded by: Ellen Anderson

THAT Council receive Staff Report No. PL.08.21, "Application for Consent File No. B25-2007, Elka Seccombe, Lot 4, Registered Plan 880";

AND THAT Council does not support the granting of Consent No. B25-2007, Carried.

C.6 Official Plan Review Update Report - #PL.08.07

Senior Planner Cindy Welsh then reviewed the topics for review in the Official Plan, noting all would be subject to pre-consultation with Grey County Staff.

Mayor Anderson then questioned if new environmental initiatives could be applied to restrict any new drive-through lanes, Cindy noting the issue could be considered under efforts to reduce car and vehicle usage.

Councillor Gamble then noted concern with a reduction to 1.0 metre setbacks along the Highway 26 corridor, Director of Planning Peter Tollefsen noting it was an attempt to recreate a small town downtown core atmosphere with parking to the rear of buildings, Bob noting concern with stores taking over the fronting right of way with commercial uses.

Deputy Mayor McKinlay then questioned accessory apartments in houses and questioned if detached buildings could be used in a similar fashion, Cindy to include such consideration.

Duncan then questioned if an urban forest program would retain existing trees in development areas where they might be subject to development pressures or would new trees be planted, Peter noting a number of approaches will be considered.

Chair Martin then questioned exterior design control standards, Rob confirming the enabling policy will be contained in the Official Plan for exercise under site plan control.

Chair Martin then questioned if the Town Hall Project would require an Official Plan and Zoning By-law Amendment if located within the lands designated and zoned commercial, David clarifying that Staff are satisfied that the Town Hall Project is permitted under the terms of the current Official Plan and Zoning By-law but are recommending amendments so as to acknowledge the current ownership and intended use of the land.

Duncan then questioned if apartments in houses would be permitted in certain zones or as a site-specific matter, Cindy replying at this point it is considered a zoning amendment would be required.

The Committee then dealt with the following Recommendation:

Moved by: D.R. McKinlay Seconded by: John McGee

THAT Council receive Staff Report No.PL.08.07, "Official Plan Review Update Report" for information purposes;

AND THAT Council authorize staff to pre consult with the County of Grey prior to proceeding with the drafting of an Official Plan Amendment and Zoning By-law Amendment and proceed to the statutory public meeting, Carried.

Mayor Anderson then retired from the meeting due to a previous commitment.

C.7 County of Grey, Growth Management Strategy – Supplementary Report - #PL.08.25

Manager of Development Planning Rob Armstrong then reviewed the Report, a Supplementary Report to one previously considered in November, 2007

Rob noted the County Growth Management Strategy was not going to consider any recreational development in Town as settlement areas, only the Thornbury-Clarksburg area to be considered as permanent, full-time growth.

Rob then noted concern with the proposed strategy being used to identify priorities for municipal infrastructure needs without considering growth and development in the recreational areas of Craigleith, Camperdown and Lora Bay.

Deputy Mayor McKinlay then noted concern that new settlement areas identified in the County do not take recreation areas into account for new growth or infrastructure requirements.

Rob then noted The Blue Mountains, Meaford, Owen Sound and Hanover met as a group to consider common concerns.

Councillor Kennedy then questioned why the consultant would not consider Lora Bay as a settlement area, Rob noting perhaps it was beyond the scope of the study, adding it would be virtually impossible to property plan a community, Town or region without considering all growth and development.

Councillor McKean then noted the urban group that has identified concerns with the strategy should be able to require revisions, Councillor Gamble noting concern the County is not listening to the concerns of the Town.

Chair Martin then noted it was important for the County to understand the Town's concerns including right to appeal.

Duncan then questioned the impact of the infrastructure concern, Rob noting he believes the Province will first review Growth Management Strategies to identify infrastructure funding.

The Committee then dealt with the following Recommendation:

Moved by: Cameron Kennedy Seconded by: John McKean

THAT Council receive Staff Report No.PL.08.25, "County of Grey, Growth Management Strategy – Supplementary Report", for information purposes;

AND THAT Council authorize staff to inform the County of Grey that the Town has major and significant concerns with the Growth Management Strategy;

AND THAT Council authorize staff to forward this Report and Resolution to the County of Grey Planning and Development Department for review and response prior to the approval of the Growth Management Strategy and the Growth Allocations and Issues Report, Carried.

C.8 Zoning By-law Discussion Papers

Discussion Papers: #6 – Affordable Housing

#8 – Outdoor Recreation (Deferred to a later date)

Senior Planner Cindy Welsh then reviewed the Affordable Housing Discussion Paper, noting it is proposed at this time that apartment conversion and garden suites would be allowed by zoning by-law amendment.

Chair Martin noted if the Comprehensive Zoning By-law permits the second dwelling unit the establishment of the unit could not be appealed, Duncan noting they could also be permitted in certain zones.

Councillor McGee then noted affordable housing represents a continuum of many different initiatives across the sector.

Councillor Gamble then questioned reference to garden suites being portable, Cindy clarifying they are meant to be a temporary use.

Chair Martin then questioned if garden suites would connect to services through the main dwelling or individually, Reg noting two services would not be permitted to a single lot.

Councillor McKean then questioned the effect on property assessments, David noting property assessment would increase with conversion or location of a garden suite.

C.9 Additions to Agenda

None

C.10 Planning Committee of the Whole to Rise

The Committee then dealt with the following Recommendation:

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

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, C6 and C7 (amended) were adopted by Committee for recommendation to Council.

Council then dealt with the following Resolution:

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

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

- C2, C4, C6 and C7 (amended)

Carried.

D.2 Lora Bay Corporation

Council then dealt with the following Resolution:

Moved by: John McGee Seconded by: Cameron Kennedy

THAT By-law No. 2008-22, being a By-law to remove the Holding '-h' symbol from those lands being comprised of Blocks 5, 7, 18 and Part Blocks 1, 15, 29 and 30, Registered Plan 16M-8, be hereby passed this 03rd day of March, 2008, Carried.

NOTE: Councillor Martin had previously declared a pecuniary interest with regard to the matter and did not take part in related discussion or voting.

E. Reports and Minutes List – RECEIVE

E.1 Committee of Adjustment Minutes – January 17, 2008

Moved by: Michael Martin Seconded by: John McKean

THAT Council receive the Committee of Adjustment Minutes dated January 17, 2008

In speaking to the Motion, Councillor Gamble questioned relief granted to permit an observation tower to have a maximum height of 11.4 metres, almost 2 metres above what would be ordinarily permitted, Planner Shawn Postma clarifying the smaller roof area of the tower raises the mid-point of the roof in determining height, the approved height similar to that of a 2 story dwelling.

Council then voted on the Resolution, Carried.

E.2 Sign By-law Minutes –February 11, 2008

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

THAT Council adopt the Sign By-law Minutes dated February 11, 2008 and support the recommendations contained therein, Carried

F. New and Unfinished Business

F.1 Notice of Motion

None

G. Next Meeting Date(s)

March 17, 2008

H. Confirmation By-law and Adjournment

Moved by: John McGee Seconded by: Cameron Kennedy

THAT By-law No. 2008-23, being a By-law to confirm proceedings of the Council of the Corporation of the Town of The Blue Mountains on March 03, 2008, be hereby enacted as passed this 03rd day of March, 2008, Carried.

Moved by: John McKean Seconded by: Cameron Kennedy

THAT this Planning Council meeting do now adjourn, Carried.

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Ellen Anderson, Mayor

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Stephen Keast, Clerk