

Minutes - The Blue Mountains Planning Council Meeting



MEETING DATE: March 17, 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 Councillor McGee absent due to vacation and Councillor Kennedy absent due to illness
- Also in attendance were Director of Planning Peter Tollefsen, Senior Policy Planner Cindy Welsh, Director of Engineering and Public Works Reg Russwurm, Director of Recreation Shawn Everitt and Planner Shawn Postma
- Council then paused for a moment of Personal Prayer or Reflection
- Approval of Agenda
Moved by: R.J. Gamble Seconded by: John McKean
THAT the Agenda of March 17, 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

B. Presentation

None

C. Motions and Staff Reports

C.1 PLANNING COMMITTEE OF THE WHOLE

Moved by: John McKean 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 Zoning By-law Discussion Papers Discussion Paper: #8 – Outdoor Recreation

Director of Planning Peter Tollefsen noted that Staff is attempting to bring all Discussion Papers forward for the zoning by-Law review. Peter further noted that after this evening's meeting, all papers would be revised further and brought back for Council's review.

Planner Shawn Postma then reviewed Discussion Paper #8, Outdoor Recreation Use. Shawn noted that the intent of the paper is to identify all outdoor uses and to differentiate between passive and commercial uses.

Shawn noted that the Township of Collingwood Zoning By-law identified outdoor recreation uses from the Slide Ride at Blue Mountain to public parks, and trails. Shawn further noted that over time, uses such as paintball and mini golf have been added and other uses are proposed. Shawn noted that currently the zoning by-law is passive in addressing such uses.

Shawn then identified recreation uses in rural areas and noted the outdoor recreational uses are dealt with more in the Township of Collingwood

zoning by-law than the Town of Thornbury zoning by-law. Shawn noted they are attempting to tighten the definition of outdoor recreation and advised that two new definitions are proposed, one for public or passive uses and one for commercial uses. Shawn further clarified a commercial use would charge a fee for use.

Mayor Anderson then questioned if the definitions would cover dog parks and dog runs, Shawn noting these uses would be included, adding if someone is charging a fee to have a dog run it would be included in the commercial uses, a municipal dog park would be included in public use.

Councillor Gamble then noted the emphasis on permitting racetracks for snowmobiles and motorcycles and questioned if this should be site specific and further noted that public sector / private sector should include golf driving ranges.

Deputy Mayor McKinlay questioned how the use of public land that is not a park, ie. Conservation Authority land or Bruce Trail, are addressed. Shawn noted that these lands are controlled under the Official Plan, confirming that they are considered public lands in the zoning by-law and are treated as public open space.

Duncan then noted the Official Plan permits uses such as mountain biking and cross country skiing at Kolapore lands and questioned if our policies would permit this type of development, Shawn replying that it depends on how it is operated. Duncan then noted that these lands will not be Provincial Parks, rather they are unmanaged lands.

Duncan then questioned if the TBM wanted to confer with the Province to address cross country skiing and mountain biking at Kolapore, would the zoning by-law facilitate this and further noted that if no one is managing the area should we be willing facilitate these uses. Shawn then replied that the zoning by-law would not permit it.

Councillor McKean then noted that the snowmobile club charges a permit fee that allows snowmobilers on the trail through parks.

Duncan noted that if recreational facilities are going to improve, we cannot rely on the Province or the County to pay for park maps, first aid stations, washrooms, etc. Duncan further noted TBM should have public/private partnerships for cross-country trails and mountain biking and the definition should be improved and that someone should help pay for the facilities. Duncan noted there are a lot of local provincial and county lands and further stated that the province has a broader range of uses – more than the Town.

Duncan then noted that if skiing is permitted in Kolapore, then hunting and angling should be permitted as well, Director of Recreation Shawn Everitt noting that hunting and angling have significant users in the area.

Chair Martin then questioned in the recreation use commercial term, that when a fee is charged, there should be words added, ie, fee or levy.

Michael then questioned if the zoning by-law would apply on provincial lands, Shawn replying yes. Michael then noted this should be consistent, Shawn further noting that NEC lands are not regulated by the zoning by-law.

Shawn then noted that the discussion papers are for the zoning by-law and that a lot of this evening's discussion should be addressed under the Official Plan, Shawn further noting that the zoning by-law deals with site specific use of the present day.

Zoning By-law Discussion Papers
Discussion Paper: #9 – Landscape Buffers

Planner Shawn Postma then noted this Discussion Paper is to identify landscaping and buffer amenities, noting that buffers separate two adjoining uses. Shawn noted that site plan control deals with landscaping and quality of uses and that landscaping deals with open space, trees and grassed areas.

Shawn further noted that the Discussion Paper addresses when site plan control should take effect and provides three new definitions, amalgamating existing by-laws.

Shawn noted the discussion paper also reviews parking standards and deals with site plan review requirements, for any development that is more intensive than a duplex.

Deputy Mayor McKinlay then questioned if increasing buffers would run against intensification, Shawn noting it would not run against Provincial Policy.

Duncan then questioned if the paper deals with horticultural plantings and more natural plantings, i.e. cedars compared with blue spruce.

Chair Martin then noted that buffer strips should be meaningful buffers and that buffers on private property should have a requirement for maintenance.

Michael then noted that the term conflict brings up an issue of uses that are not compatible with each other

Zoning By-law Discussion Papers
Discussion Paper: #10 –Specialty Crops

Senior Planner Cindy Welsh reviewed Discussion Paper #10, noting issues that may have to be changed in the paper.

Cindy noted the Provincial Policy places a high priority on these uses and noted that Grey County has specialty crop designation in their Official Plan and that this may have consequences for this paper.

Cindy noted the Town Official Plan is explicit in terms of specialty crop and reflects the County's Official Plan. Cindy then noted concerns with small scale commercial and industrial uses in such areas.

Cindy noted the main focus is the new specialty crop zone and the paper recommends a new definition for specialty crop area. Cindy further noted the Provincial Policy Statement has a definition of specialty crop area and our definition follows Provincial Policy.

Cindy then noted the minimum lot area is 10 hectares for production and 2 hectares for additional buildings for specialty uses.

Cindy reviewed the setbacks for buildings and lot lines and reviewed the section related to wineries. Cindy then noted the Town is working with Grey County to deal with this particular use; including ancillary uses, growing of grapes and processing.

Mayor Anderson then noted reference to wineries and suggested that any applications received proposing a winery do not get caught up because Town has little experience with wineries, noting these applications should be reviewed and processed. Ellen then questioned how the County

Official Plan is dealing with applications for wineries, Cindy replying the County classifies wineries as small scale industrial uses.

Councillor McKean noted that large buildings are required to process grapes, questioning if the agriculture zone will be designated on a map, Cindy replying yes.

John then questioned if an orchard is cleared, how long until the specialty agriculture designation is removed, Director of Planning Peter Tollefsen replying the designation stays in perpetuity.

Councillor Gamble then noted the reference to temporary farm help accommodation and suggested that this reference be clarified as far as being "removed", Cindy replying "temporary" accommodation would have to be removed.

Bob then noted the 15 metre minimum yard requirement and questioned if there was a driveway along the side of the property, would the 15 metres apply or is this only with respect to buildings, Peter replying this would be subject to site plan control.

Duncan then noted the Provincial Policy definition should be used because it covers the definition. Duncan then noted that specialty crops will survive if value added services could be provided, ie. tourism aspect of farming.

Chair Martin then questioned the timeline of the zoning bylaw, Cindy replying the zoning bylaw will be updated in approximately 5 years.

Michael then questioned if specialty crops should include experimental crops as well, Duncan clarifying that the Provincial definition of specialty crop deals with any crop.

Michael then clarified all areas must permit farmgate sales to assist with revenues and must be captured in permitted uses.

Ellen then noted that we need to be permissive for farmers to assist with agriculture economical development

Zoning By-law Discussion Papers Discussion Paper: #11 –Natural Heritage/Hazard Lands

Director of Planning Peter Tollefsen reviewed Discussion Paper #11 and noted that currently there is just one zone, being hazard and the discussion paper is proposing 3 zones, Hazard, Hazard Wetland (most restrictive) and Hazard Natural Heritage Zone including features and areas that have a more local significance.

Peter further noted that the discussion paper revamps the setbacks of features and Staff are meeting with conservation authorities to identify these.

Councillor Gamble then questioned the difference between a cold and warm water stream, Peter answering that the cold water stream is a more natural setting and the setback is increased, warm water streams tend to be through settlement areas where there is less tree coverage over the stream resulting in water that tends to be warmer.

Peter further noted that the setbacks are determined with environmental studies.

Zoning By-law Discussion Papers

Discussion Paper: #12 – Site Performance Standards

Planner Shawn Postma then reviewed the site performance standard discussion paper, noting the paper reviews building setbacks, elevations and lot coverage.

Shawn further noted there will be a slight adjustment from the Town of Thornbury and Township of Collingwood zoning by-laws and that Staff are currently fine tuning the new zoning bylaw.

Shawn then noted how separation of uses is dealt with through specific setbacks. Shawn clarified that crime prevention through environmental design will be dealt with moreso in site plan reviews, Staff to review general site design and conditions.

Mayor Anderson then questioned if setbacks and lot sizes can be flexible with building and height for the purposes of intensification, Shawn noting that the paper recommends we stay at status quo.

Deputy Mayor McKinlay then questioned if we have provision for more on-site parking than now, Shawn replying that the parking strategy will address this.

Chair Martin then referenced the condominiums overlooking the Mill Pond and noted that staff should build in some sort of flexibility for setbacks.

Mayor Anderson then vacated the meeting due to a previous commitment.

Zoning By-law Discussion Papers

Discussion Paper: #13 – Animal Husbandry

Director of Planning Peter Tollefsen then reviewed the Discussion Paper #13 Animal Husbandry.

Peter noted that the paper addresses specific issues of livestock and where such operations should be, confirming that livestock should be restricted to agricultural areas, not urban areas or estate lots.

Peter noted that pets are not regulated in urban areas and that the zoning by-law needs attention regarding exotic pets, currently outside of the current zoning by-law.

Peter noted suggestions in the discussion paper that the Town's policies reflect the County Official Plan. Peter further noted that intensive livestock operations and commercial uses such as pet hotels shall be directed to rural designations.

Peter noted that further discussions regarding the Rural Economy Strategy are taking place that could change this discussion paper. Peter confirmed staff will report back to Council after these discussions.

Councillor McKean then noted he understood the County was planning to drop the Hamlet designations within the Town of The Blue Mountains and questioned how we keep intensive operations out of the Town Hamlet areas, Peter answering that the County's Official Plan would retain the Hamlet designations.

Councillor Gamble then made reference to sections 4.2 and 4.6 and questioned how many cats are permitted per dwelling in urban areas, and if kennel licences include reference that you can sell and breed dogs. Peter replying that this discussion paper needs to address the definition of

pets in urban areas. Peter further noted that the dog bylaw states no more than three dogs per residence without a kennel licence.

Duncan then questioned if the conclusions set out in section 4 is consistent with the Nutrient Management Act, Shawn Postma confirming he will confirm compliance with the Nutrient Management Act.

Duncan then questioned if a resident within a Hamlet designation could have chickens in their backyard, Peter answering that would not be permitted but perhaps this could be allowed for example on two acre lots. Duncan then questioned if this should be considered, Peter replying that he will review it and report back.

Bob then questioned if pot-bellied pigs are permitted and if there is a weight limit for pets, Peter replying that pigs are included in agricultural uses and should be permitted in rural areas, not urban areas. Peter further noted that he will look at what other municipalities to determine what they procedure is regarding pot-bellied pigs and will report back to council.

Duncan then questioned if riding arenas are deemed a commercial use, Peter answering that they may need a zoning by-law depending on the size. Peter confirmed that he would look into this and report back to Council.

Peter further noted that Staff are reviewing strategies for rural economy.

Zoning By-law Discussion Papers **Discussion Paper: #14 – Gross Floor Area**

Councillor Gamble noted the reference to 120% of commercial lot area coverage and questioned if a manufacturer could declare a warehouse a storage area as noted in section 3.72

Deputy Mayor McKinlay noted reference to residential gross floor area and questioned the basis for the minimum size, Senior Planner Cindy Welsh replying this is from the current Collingwood Township zoning by-law. Duncan then questioned if staff is proposing that we proceed with the recommendations in this discussion paper, Cindy replying that Staff are proposing an amendment to address the current zoning by-law regarding floor area.

C.3 Additions to Agenda

None

C.4 Planning Committee of the Whole to Rise

The Committee then dealt with the following Recommendation:

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

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

D. Planning Council

D.1 Call to Order - Planning Council

Deputy Mayor McKinlay 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 no

recommendations were made and that Council reviewed Discussion Papers #8 through #14 and provide comments.

E. Reports and Minutes List – RECEIVE

None

F. New and Unfinished Business

- 1. Additions to the Agenda - Communities in Action Fund

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

THAT Council does support an application to the Communities in Action Fund to provide accessible and affordable golf programming for members of the community, with a focus on youth and seniors

In speaking to the Motion, Deputy Mayor McKinlay requested Director of Recreation Shawn Everitt review the matter.

Shawn noted the program was proposed with funding sought through the Communities in Action Fund, in a partnership with the Ministry of Health, the BVAA and BVO. Shawn noted with the help of the BVAA, this program will be for youth, seniors and those with special needs and is to be kept affordable for all. Shawn further noted that users would have access to golf equipment.

Councillor Gamble then questioned the amount of the grant, Shawn answering the grant amount is \$5000 from Communities in Action fund through the Ministry of Health based on cash and in kind partnerships.

Council then voted on the Resolution, Carried.

G. Next Meeting Date(s)

April 7, 2008

H. Confirmation By-law and Adjournment

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

THAT By-law No. 2008-28, being a By-law to confirm proceedings of the Council of the Corporation of the Town of The Blue Mountains on March 17, 2008, be hereby enacted as passed this 17th day of March, 2008, Carried.

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

THAT this Planning Council meeting do now adjourn, Carried.

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D.R. McKinlay, Deputy Mayor

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Corrina Giles, Deputy Clerk