

Minutes - Public Meeting (Council Adjourned)



MEETING DATE: March 5, 2007 – 7:00 pm

LOCATION: The Blue Mountains Council Chamber

PREPARED BY: Stephen Keast, Clerk

A. Call to Order

- Mayor Anderson called the first joint scheduled Public Meeting to consider a Plan of Condominium Zoning By-law Amendment to order and explained the purpose of the Public Meeting is to consider a request by the applicant to construct a new apartment building known as “The Trillium Apartments”. The application proposes a three storey, four level 31 unit apartment building comprising of bachelor, one bedroom and two bedroom units, a surface parking area for approximately 47 cars, additional visitor parking, plus some landscaping improvements. Currently the property contains an existing building known as the “Trillium” which contains six apartments. Prior to that, the building was known as the “Trillium Restaurant” which was a 280 seat dining and banquet facility before being converted in 2005.

The effect of this By-law is to rezone the subject property from the Development “D” zone to the Residential Multiple RM2 zone, and to decrease the minimum permitted side yard setback from 7.5 metres to 5.5 metres from the north eastern side lot line.

The subject property consists of approximately 9907 sq m (2.45 acres) of land located on Lots 44, 48, 51 and Part Lots 50 and 154 of Plan 1023.

- The Clerk then noted Notice of Public Meeting had been given in accordance with the Planning Act and read correspondence as received from area residents Colleen Stegmaier, Dr. Ann Cox and Vanda Kilpen, Shirley and Paul Woolner, Donald Green, Ralph and Pat Jamieson, Jeanne Steller on behalf of Bretzac Leaseholds Ltd., Jane Baker and Jill Willington, Jim and Mary Hunt and the Grey Sauble Conservation Authority.
- Planning Consultant David Slade on behalf of the applicant preserved the right to challenge each of the aforementioned items of correspondence, it being noted representatives of the GSCA were not in attendance.
- Co-Chair Martin then clarified recent changes to the Planning Act which place Council in a Hearing format with the applicant and residents permitted to make their position and responses clear to establish rights of appeal and challenge.
- Applicant Desmond von Teichman then reviewed the proposal, noting when the restaurant was previously rezoned for apartment use, it was noted further development plans would be previewed when finalized.
- Desmond noted the general concept was a building that would be of benefit to the Town.
- Planning Consultant David Slade then reviewed the development proposal on behalf of the applicant, noting the Trillium lands are designated Residential in the Official Plan with the former restaurant use separately zoned and now rezoned residential.
- David noted the proposed development would maximize open space areas on the lands.
- David noted the total units proposed are 37 including the existing 6 units.

- David noted a single driveway would extend from Louisa Street to the proposed condominium, further noting a portion of the property also fronts on Alice Street although this will not be used for access, with an onsite fire route addressed within the Site Plan.
- David noted all of Louisa Street frontage is designated Commercial in the Official Plan with the proposed development an excellent location for an apartment building.
- David noted the building was a combination of 3 and 4 storeys, depending on grade, proposed with 7 bachelor, 7 one bedroom and 17 two bedroom units, representing residential units that are not now available in the Town.
- David noted a Plan of Condominium was also submitted to allow for future options and it is currently intended to rent the units.
- Desmond then noted their engineering consultant was not able to attend the meeting, nor their architect, due to inclement weather conditions, and he reserved the right for them to address Council at a later date.
- Councillor Kennedy then questioned density, David noting the site would be allowed up to 60 units in the Official Plan but Site Plan Approval requirements lowered that to the proposed 37.
- Cam then noted it appeared that GSCA was concerned with parking as proposed for the 37 units, David noting the setback from water's edge was under negotiation.
- Councillor McGee then clarified the proposal was 31 new units with 6 existing.
- Town Planner Shawn Postma then noted the purpose of the Public Meeting was to hear from the developer and the public and to gather information on the proposal.
- Deputy Mayor McKinlay then questioned how the proponent would respond to resident's correspondence, Co-Chair Martin noting the developer would respond to the correspondence in writing.
- Mayor Anderson then asked if anyone wished to speak to the proposed applications.
- Planning Consultant John Tennant then spoke on behalf of adjacent landowner Don Green, with possibly other clients in the future.
- Councillor Martin noted that at this time Mr. Tennant would be speaking on behalf of Mr. Green with possibly on behalf of others at a later date.
- John then noted he would present a written response at a later date, Michael noting the Hearing would be adjourned at some point, to be again convened to consider such a response.
- John then noted concern with the proposed density for the lands under Official Plan Amendment No. 5.
- John further noted intensification is promoted in the Planning Act, but only where appropriate and compatibility would have to be taken into account, including height, traffic and other site plan approval concerns.
- John then noted the original Public Meeting did not speak to the request for height exemption.
- Co-Chair Martin then asked if the proponent wished to respond, David noting he would do so later in the meeting.
- Julie Scarcella then spoke, questioning if there were sustainable features contained in the building development.

- Desmond then spoke, noting building design and materials were not yet finalized.
- Julie then noted the developer should be aware of the LEED building program.
- Michelle Parks, 13 Alice St. E., then spoke in opposition, noting concern with the proposed affordability of the development, Jamie Green then speaking in support of his father, Don Green's correspondence.
- Michelle then noted access from Alice Street is her main concern, Desmond noting it was decided not to proceed with Alice Street access due to slope concerns and other matters, Michelle noting Louisa Street is busy as well at present.
- Robert Steller – 229 39th Sideroad – then spoke, stating he did not believe the proposed development fit in with the surrounding area, Desmond noting the commercial core of the Town should also be considered when considering compliance.
- Area resident Julie Foster-Scott then spoke in opposition to the proposed development.
- Area resident Kevin Almond then spoke, noting concern with the proposed development, including height, the adjacent lane property and non-compliance with existing architecture found on Alice Street.
- David noted a Zoning By-law Amendment had been applied for with Site Plan Approval a separate process that has not yet been applied for.
- Deputy Mayor McKinlay noted public notice of Site Plan Approval was at the discretion of Council but would likely be involved.
- Area resident Yvonne Weltch then spoke, noting concern with the building design, height and location and lighting of the parking area, as well as additional noise.
- Area resident Ted Sivell then spoke, noting concern with the proposed turnaround area affecting existing, old growth trees on the river bank.
- Ted then noted concern with any impact that might result on a spring on his property, Desmond noting engineering studies indicated there would be no impact, adding the engineering consultant could address the matter at a later date.
- Area resident Dr. Cox then spoke, stating she did not believe the proposed development was in keeping with the character of the area.
- Area resident Paul Woolner then spoke, noting concern with emergency vehicle access to and on the site.
- Area resident Colleen Stegmaier then spoke, noting concern with pedestrian intrusion from the development onto her adjacent property and possible damage to existing old growth trees which she believes are the true division between the two properties.
- Colleen then questioned previous surveys on the property, Desmond noting two surveys had been completed, Martin Knisley for title and Zubek, Emo and Patten for the development proposal.
- Desmond further noted it was intended to have a net gain of vegetation on the property.
- David then stated the Development D Zone on the subject lands was intended as a holding zone, pending finalization of site development plans.

- Colleen further noted she was in opposition to the development proposal and would appeal any decision, requesting background information on the subject lands and the development proposal as noted in her earlier correspondence.
- Area resident Lori Carscadden then noted concern with the proposed height and density and possible access to Alice Street, adding a previously proposed use of the lane for water servicing could be address access concerns by providing a servicing easement over the lane in favour the Town.
- David Slade then noted the developer would be agreeable to deeding the parcel subject to the continued funeral home right of way for access.
- John Tennant then spoke, questioning property ownership, David noting it was intended the development would be by Plan of Condominium involving all the subject parcels and clarifying the applicant had control of all the lands.
- John then stated detailed site plan information should be provided by the applicant.
- Mayor Anderson then proposed the Public Meeting be adjourned to continue at a later date with any person who so wishes being able to speak at the continuance.
- Councillor Kennedy then questioned if those who were unable to attend due to inclement weather would be able to speak, Co-Chair Martin confirming that would be the case.
- Deputy Mayor McKinlay then questioned if it would be in order for the proponent to respond in writing to concerns as raised this evening for the continuance, Michael noting that would be in order.
- Co-Chair Martin then noted Notice of the continuance would be formal.
- Mayor Anderson then adjourned the Public Meeting to continue at a later date.
- Mayor Anderson then called the second Public Meeting to order and explained this By-law applies to all lands lying within the former Township of Collingwood. The Province of Ontario issued a new Provincial Policy Statement in 2005, under Section 3 of the *Planning Act*. The Provincial Policy Statement, 2005, requires that new land uses, including the creation of lots, and new or expanding livestock facilities shall comply with the Minimum Distance Separation (MDS) Formulae. On January 1, 2007, revised MDS Formulae came into effect throughout the Province.

This By-law will replace Section 6 – Regulations Regarding Livestock or Poultry Operations and Section 9.6 – Special Regulations for Permitted Livestock or Poultry Operations of the Township of Collingwood By-law No. 83-40, as amended and replace it with Section 6, General Provisions to Facilitate New Minimum Distance Separation Formulae including provisions to recognize Appendix A – Implementation Guidelines – Minimum Distance Separation Formulae to the By-law. Note that livestock are not permitted in the Town of Thornbury By-law No. 10-77, as amended. New definitions as per the Minimum Distance Separation Formulae Implementation Guidelines will also be added to Section 3 – Definitions.

- The Clerk then noted Notice of Public Meeting had been given in accordance with the Planning Act and read correspondence as received from the GSCA and Grey County Transportation and Public Safety.
- Deputy Mayor McKinlay questioned if the Grey County Planning Department had commented, Planner Cindy Welsh noting the County had earlier recommended the By-law.

- Duncan noted he was not familiar with the new MDS regulations and questioned when Council will receive information, Cindy noting a Report and By-law would follow the Public Meeting.
- Duncan then noted concern with MDS regulations in consideration with regard to surplus farm dwellings, where severing of such dwellings results in the sterilization of the farmland for future livestock use.
- As no one further wished to speak, Mayor Anderson declared the Public Meeting to be adjourned.