

Minutes - The Blue Mountains Planning Council Meeting



MEETING DATE: April 18, 2006 – 7:00 pm

LOCATION: The Blue Mountains Council Chamber

PREPARED BY: Stephen Keast, Clerk

A. Call to Order

- Mayor Anderson called the meeting to order with all members in attendance.
- Council then paused for a moment of personal prayer or reflection.
- Approval of Agenda
Moved by: D. R. McKinlay Seconded by: Wayman Fairweather
THAT the Agenda of April 18, 2006 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.
- Council then adjourned for the scheduled Public Meetings.

B. Deputations/Presentations

7:00 pm – Scheduled Public Meetings (Council adjourned)

1. Consent B03/06 – Dorothy Ward
2. Consent B04/06 & Zoning By-law Amendment – Erik & Ingrid Morris
3. Consent B05/06 – Dr. Joan Louise Hibberd

C. Motions and Staff Reports

Mayor Anderson then called the Planning Council meeting to order with Councillor Fairweather assuming the Chair in a Committee of the Whole format.

1. PL.06.43 – Robert Shaw, Lot 15, Concession 5, Consent No B28/04 to B31/04 inclusive

Planner Shawn Postma then reviewed Staff Report PL.06.43, noting the new Official Plan has been approved and the subject applications would comply with the new Hamlet designation boundary and would be similar in character to surrounding development.

Councillor Fairweather then questioned the ANSI and Hazard designations found on the subject property, Shawn noting the ANSI was to the south of the retained parcel and the wetland was an area of poor drainage in the northwest.

Wayman then asked if 3 lots would have been preferable on the lands, Shawn noting the proposed lots meet minimum lot requirements with B31/04 being larger to accommodate a portion of the area of poor drainage.

Deputy Mayor McKinlay then questioned if the wetland area might be a karst area with some development restrictions, Shawn noting the GSCA had provided detailed Hazard land designation for the lands with a building site available on the eastern portion of the lot.

Councillor McKean then questioned if 15th Sideroad was of sufficient width to establish a County Road if uploading occurred, Deputy Mayor McKinlay noting possible uploading of the road to County status may require a road widening.

Director of Planning Peter Tollefsen then recommended the Report be deferred at this time pending further review of issues raised during discussion.

Council then dealt with the following Resolution:

Moved by: G. Ardiel Seconded by: D. R. McKinlay

THAT this Council defer Staff Report PL.06.43, Application for Consent B28, 29, 30 and 31-2004, Applicant Robert Shaw, Lot 15, Concession 5 pending further review of related issues, Carried.

2. PL.05.45 – Donald F. Crowe, Part Lot 22, Concession 3

Planner Shawn Postma then reviewed Staff Report PL.06.45, noting the Application was previously considered with objections from MTO, GSCA, and Grey County Planning Department, adding the lots previously existed and merged under the Planning Act.

Shawn noted following the proposed installation of municipal service and further review, the agencies would conditionally support the Application.

Councillor Fairweather noted the property was significantly below the Highway grade and fill would be required.

Councillor Ardiel then noted surprise with MTO approving a mutual driveway for the lands, Shawn noting MTO considered in this case that original lots would be recreated. Gail then noted concern with a proposed bore under Highway 26 for service installation, Director of Engineering and Public Works Paul Graham noting it was his preference the Town perform the service installation.

Councillor Fairweather then noted concern with Entrance Permits for this property from MTO with no Permit available for the Delphi property.

Director of Planning Peter Tollefsen then recommended an additional condition of Consent be added whereby the Town would obtain a drainage easement along an existing watercourse on the lands for future drainage requirements, if necessary.

Moved by: E. Anderson Seconded by: D. R. McKinlay

THAT Council hereby grant approval of Consent Application B26/2005 subject to the conditions noted in Staff Report PL.06.45, as amended, Carried.

3. PL.06.46 – Source Water Protection Information Session – March 30, 2006

Planner Cindy Welsh then reviewed the Staff Report PL.06.46, noting Town By-laws will have to be amended following final passage of the Clean Water Act, so as to be in compliance with Act requirements for protection and enforcement.

Mayor Anderson noted the GSCA has a strong focus on source water protection, Councillor Ardiel noting implementation and enforcement will eventually be downloaded to the municipalities, Councillor Martin noting the Province indicated during the past winter they would not be involved in enforcement.

Deputy Mayor McKinlay then questioned if source water protection is related to the municipal water system in terms of The Blue Mountains drawing water from Nottawasaga Bay, Cindy noting the Act would apply in the area of any water intake.

Paul Graham then stated he believed any stream that would discharge into the intake area would be included in such study.

Council then dealt with the following Resolution:

Moved by: Gail Ardiel Seconded by: Michael Martin

THAT Council receive Staff Report PL.06.46 for information purposes,
Carried.

4. PL.06.47 – Renewable Energy

Director of Planning Peter Tollefsen then reviewed Staff Report PL.06.47, Request for Proposal – Request for Landscape Assessment, Renewable Energy.

Peter noted it would be beneficial to the renewable energy program to complete a landscape assessment as was recently completed for Grey Highlands, adding the Renewable Energy Working Group met earlier this day and a final Request for Proposal had been developed.

Peter noted the Report was now considered to have an upset cost of approximately \$30,000 versus \$20,000 as noted in the Staff Report, adding Staff would report back to Council following release of the RFP.

Deputy Mayor McKinlay then questioned how a Landscape Assessment would be used with regard to a Provincial interpretation that renewable energy projects could locate anywhere, Peter noting most issues come down to visual impact and science would be applied to analysis of different geographic areas.

Duncan then questioned how such a study could be impartial given various firms and philosophies, Peter noting the RFP would contain definitions and criteria and the Landscape Assessment would be subsequently used by the Town to develop policies.

Mayor Anderson then questioned if such a study would result in Council having to give approvals where not desired, Peter noting Council has made it clear that no decision has been made with regard to energy projects and the

consultant would complete an exercise to identify existing landforms that should be protected through Town policy.

Councillor Martin noted Council was in “iffy” territory, given no approval to date of Bill 51 and no formal application having been made, adding perhaps the study could stop at identifying an inventory, adding perhaps this was a study that the proponent could complete, rather than the Town.

Councillor McKean then stated with a generation licence granted there will in all likelihood be a proposal forthcoming, adding such an Assessment would be of benefit to the Town.

Councillor Fairweather then recounted the Working Group meeting of earlier in the day and spoke in support of the proposed Landscape Assessment.

Deputy Mayor McKinlay then noted quantifying the viewscape within the Town would assist in considering development proposals, with Council to select any final consultant, Peter concurring and recommending a review Committee be established.

Duncan then questioned if Development Charges could apply to the study cost, Peter to investigate.

Councillor Ardiel then spoke in support of proceeding with the RFP process, in part to provide information to the Province given the lack of any Provincial background studies, perhaps there being Provincial funding available.

Mayor Anderson then noted the Assessment should include any revisions to be made to transmission infrastructure that might follow any energy generation development.

Councillor Gamble then noted criteria does not exist at present to address any application that might be forthcoming, adding support for the Assessment.

Council then concurred to permit Blue Highlands Citizen Coalition representative Richard Bowden to speak, Richard noting concern with the revised RFP, Jones Consulting representative Tim Cane stating the RFP would establish minimum criteria for establishing landscape analysis.

Richard then stated the assessment should also establish the value of a landscape area that should have no change.

Tim then noted Official Plan policy was interpreted within the RFP, Peter noting OP Background studies as well dictate the rural nature of the Town which the consultant would consider as well.

Councillor Martin then suggested the final text of the RFP be brought back to Council for final approval.

Council then dealt with the following Resolution:

Moved by: Michael Martin Seconded by: G. Ardiel

THAT Staff Report PL.06.47 be Tabled for consideration at the next Planning Council meeting for Council review of the actual text of the RFP, Carried.

5. SRB.06.06 – Council Delegation – Agreement Respecting Occupancy

Chief Building Official David Finbow then reviewed Staff Report SRB.06.06, Council Delegation – Agreement Respecting Occupancy.

David noted the proposed delegation would eliminate the need for 41 separate Council Agreements within the Georgian Bay Estates Subdivision pending provision of full servicing prior to any occupancy

Deputy Mayor McKinlay then questioned if the Agreement allowed early occupancy, David clarifying occupancy would not be allowed until services were available in accordance with the Ontario Building Code Act.

Council then dealt with the following Resolution:

Moved by: John McKean Seconded by: G. Ardiel

THAT Council receive Staff Report SRB.06.06 and enact the By-law attached thereto, Carried.

6. Memo – Meetings with the Niagara Escarpment Commission

Peter Tollefsen then reviewed the Memo with regard to scheduled meetings with the NEC in the area, Councillor Fairweather noting the importance of the meetings with regard to Official Plan Amendment No. 4.

D. By-laws and Official Plan Amendments

1. Council Delegation – Agreement Respecting Occupancy

Council then dealt with the following Resolution:

Moved by: R. J. Gamble Seconded by: Wayman Fairweather

THAT Council does hereby enact By-law 2006-51, being a By-law to delegate the Chief Building Official the authority to enter into specific agreements on behalf of the Corporation of the Town of The Blue Mountains this 18th day of April, 2006, Carried.

E. New and Unfinished Business

1. Rezoning By-law – Le Scandinave

Manager of Development Planning Rob Armstrong clarified it was required to adopt the Zoning By-law Amendment following adoption of Official Plan Amendment No. 138, rather than prior as had been previously done, and the previous By-law No. 2005-98 must be rescinded and replaced.

Council then dealt with the following Resolution:

Moved by: Wayman Fairweather Seconded by: G. Ardiel

THAT a By-law to rescind By-law No. 2005-98 and to rezone part Lot 16, Concession 1 from the Deferred Development DD Zone and Hazard H Zone to the Recreational Commercial C4-203-h zone so as to permit a commercial recreation spa with a total maximum gross floor area of all new buildings of

1,400 square metres, be read a first time and numbered 2006-52 this twenty-fourth day of April, 2006, Carried.

Moved by: G. Ardiel Seconded by: Wayman Fairweather

THAT a By-law No. 2006-52 be read a second time and referred to Committee of the Whole, Carried.

Deputy Mayor McKinlay assumed the Chair in Committee and upon the Committee rising reported that all clauses in By-law No. 2006-52 passed while in Committee.

Moved by: Wayman Fairweather Seconded by: G. Ardiel

THAT By-law No. 2006-52 be read a third time, signed by the Mayor and Clerk, sealed with the corporate seal and duly embossed in the By-law Book, Carried.

F. Reports and Minutes LIST Receive

- 1. Affordable Housing Committee – March 3, 2006

Moved by: D. R. McKinlay Seconded by: Wayman Fairweather

THAT the Affordable Housing Committee minutes of March 3, 2006 are hereby received, Carried.

G. Next Meeting Date(s)

May 1, 2006

I. Adjournment

Moved by: R. J. Gamble Seconded by G. Ardiel

THAT this Council does now adjourn, Carried.

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Ellen Anderson, Mayor

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Stephen Keast, Clerk