

Minutes - Public Meeting (Council Adjourned)



MEETING DATE: May 5, 2008 – 7:00 pm

LOCATION: L. E. Shore Memorial Library

PREPARED BY: Corrina Giles, Deputy Clerk

A. Call to Order

B.1 Consent No.'s B04/08 and B05/08 – Lot 2, Part Lot 3, Concession 5 – Narapan Dopp

- Mayor Anderson then called the scheduled Public Meeting B04/2008 to order with all members in attendance save Councillor McGee absent due to a previous commitment, and explained the purpose of the Public Meeting is to consider a request to sever a 40.47 hectare agricultural parcel, containing an existing dwelling, barn and storage building while retaining an 80.94 hectare agricultural parcel, containing an existing dwelling and barn. This consent is submitted in conjunction with Consent Application No. B05-2008. Ellen then read Consent B05/2008 and explained the purpose of this consent is to consider a request to sever a 40.47 hectare vacant agricultural parcel; while retaining a 40.47 hectare agricultural parcel, containing an existing dwelling and barn. Ellen noted this consent is submitted in conjunction with Consent Application No. B04-2008.
- The subject lands are comprised of Lot 2 and South Part Lot 3, Concession 5,
- Ellen then noted with respect to Consent B04-2008 the severed parcel would have a frontage of 302 metres and area of 40.47 hectares while the retained parcel would have a frontage of 604 metres and an area of 80.94 hectares, both having access on an open and maintained municipal street.
- Ellen then noted with respect to Consent B05-2008 the severed parcel would have a frontage of 302 metres and area of 40.47 hectares while the retained parcel would have a frontage of 302 metres and an area of 40.47 hectares, both having access on an open and maintained municipal street.
- Ellen then noted if a person or public body that files an appeal of a decision of the Council of the Town of The Blue Mountains in respect of the proposed consent does not make written submissions to the Council of the Town of The Blue Mountains before it gives or refuses to give a provisional consent, the Ontario Municipal Board may dismiss the appeal.
- The Deputy Clerk then noted Notice of Public Meetings had been given in accordance with the provisions of the Planning Act and read correspondence received from the Grey Sauble Conservation Authority, and the Grey County Planning and Development Department and the Niagara Escarpment Commission
- Planner Shawn Postma then reviewed the Consent Applications and noted the purpose of the two consent applications is to create two new lots in addition to the retained parcel.
- Shawn noted the originally there were 2 separate lots, and the owners would now like to recreate two 100 acre parcels, and the third lot would contain the existing residence.

- Shawn noted the Official Plan shows an Area of Natural or Scientific Interest on the opposite side of the 4th line, and confirmed the ANSI is not directly on the subject property, rather it is on the buffer area. Shawn further noted the GSCA states an Environmental Impact Study is not required, and confirmed staff will contact agencies to identify what is necessary.
- Councillor McKean then noted the applicant is proposing to put the properties back into 100 acre parcels.
- Mayor Anderson then asked if anyone wished to speak to the proposed Consent.
- Dale Eagles of R.R. #2 Ravenna then spoke, noting he lives west of the properties, at Lot 2, Concession 6, and questioned the obligations of the Applicant with respect to line fences/ boundary fences
- Deputy Clerk then noted the “right-hand rule” regarding fence-viewing.
- Dale then noted he has 150 acres backing onto the 300 acre parcel and is concerned with the fences as he has had difficulty in the past with maintenance of the fences.
- Ellen then asked that Planner Shawn Postma look into the Line Fences Act and get back to Dale with information
- As no one further wished to speak Mayor Anderson declared the Public Meeting to be adjourned.

B.2 Consent No. B06/08 – Lot 15, Concession 6 – Edmund & Donna Shaw

- Mayor Anderson then called the scheduled Public Meeting B06/2008 to order with all members in attendance save Councillor McGee absent due to a previous commitment and explained the purpose of the Public Meeting is to consider a request to sever a 22.66 hectare vacant agricultural parcel on the eastern portion of the property; and deed it as a lot addition to the existing 20.2 hectare agricultural parcel to the east, containing an existing dwelling and farm outbuildings. A 36.02 hectare agricultural parcel will be retained, containing an existing dwelling, barn, shop and two tarp buildings.
- The subject lands are comprised of Part Lot 15, Concession 6
- Ellen then noted the severed parcel would have a frontage of 280 metres and area of 22.66 hectares while the retained parcel would have a frontage of 514 metres and an area of 36.02 hectares, both having access on an open and maintained municipal street.
- Ellen then noted if a person or public body that files an appeal of a decision of the Council of the Town of The Blue Mountains in respect of the proposed consent does not make written submissions to the Council of the Town of The Blue Mountains before it gives or refuses to give a provisional consent, the Ontario Municipal Board may dismiss the appeal.
- The Deputy Clerk then noted Notice of Public Meetings had been given in accordance with the provisions of the Planning Act and read correspondence received from the Grey Sauble Conservation Authority, Grey County Planning and Development Department, Niagara Escarpment Commission and Grey County Transportation and Public Safety Department
- Planner Shawn Postma then reviewed the application, noting the severed parcel is being added to the neighbouring property, further noting both properties are owned by the same family and that one parcel is 145 acres and the other parcel is 50 acres. Shawn further noted the applicant would

like to sever along an existing fenceline. Shawn noted Staff will prepare a report to council at a later date.

- Deputy Mayor McKinlay then questioned if the Town is requesting a road widening as a condition of severance, Shawn replying under the Planning Act, the Town is permitted to ask for a road widening on the severed parcel only.
- Bev Shaw then spoke, questioning if the County would purchase the land required for the road widening, Duncan replying that when new lots are created the Town makes a road widening a condition of the severance.
- Councillor McKean noted a road allowance for a Township road is 66 feet versus 100 feet width for a County road.
- As no one further wished to speak Mayor Anderson declared the Public Meeting to be adjourned.

B.3 Consent No. B07/08 – Lot 10, Concession 1 – Braeburn Farms

- Mayor Anderson then called the scheduled Public Meeting B07/2008 to order with all members in attendance save Councillor McGee absent due to a previous commitment, and explained the purpose of the Public Meeting is to consider a request to create a 0.573 hectare easement for water and access purposes to the Osler Bluff Ski Club Limited. A 73.977 hectare agricultural parcel would be retained, containing two existing dwellings, detached garage and barn.
- The subject lands are comprised of Part Lot 10, Concession 1; Parts 1 to 6, 16R-6397; Parts 4 to 6 & 8 to 10 to 12, 16R-6401
- Ellen then noted the severed parcel would have a frontage of 0 metres and area of 0.573 hectares while the retained parcel would have a frontage of 295 metres and an area of 73.977 hectares, both having access on an open and maintained County Road and Municipal Street.
- Ellen then noted if a person or public body that files an appeal of a decision of the Council of the Town of The Blue Mountains in respect of the proposed consent does not make written submissions to the Council of the Town of The Blue Mountains before it gives or refuses to give a provisional consent, the Ontario Municipal Board may dismiss the appeal.
- The Deputy Clerk then noted Notice of Public Meetings had been given in accordance with the provisions of the Planning Act and read correspondence received from the Nottawasaga Valley Conservation Authority, Grey County Planning and Development Department, Niagara Escarpment Commission and Grey County Transportation and Public Safety Department
- Manager of Development Planning Rob Armstrong then reviewed the Application, noting the Application proposes a formal easement for Osler Bluff Ski Club for snowmaking purposes. Rob further noted the water line takes water from the Black Ash Creek and has been in place since 1971 or 1972 under an easement created for less than 21 years. Rob noted the Applicant would like an easement for long time purposes and confirmed the Applicant currently has approved permit application to take water. Rob noted that currently there is no formal easement to cross Poplar Sideroad.
- Deputy Mayor McKinlay questioned if the Applicant has a pond for snowmaking purposes, Rob replying there is a pond, but it is not for snowmaking purposes. Steven Christie, solicitor for the Applicant then spoke noting there is a pond upstream, but it is not related to snowmaking

- Councillor Gamble then questioned the quantity of water taken from the Black Ash Creek, Rob noting the maximum quantity of water permitted to be taken from the Black Ash Creek is 4,363,000 litres per year.
- Councillor McKean questioned if the pipeline feeds the reservoir, Solicitor Steven Christie responding the pipeline feeds the surge pond in the cabin community at the bottom and is then fed to the top.
- John McKean then questioned the size of the pipe, Steven Christie responding the pipe is 6", but further noted the pipe may have been increased in 1976 with the easement noting there are no records available to confirm this. Steven further noted the renewed easement expires in 2025.
- Steven noted the Applicant would like to make the easement permanent under the Planning Act.
- John McKean then questioned if there is a flow monitor on the pipe, Steven Christie replying the permit to take water was renewed in 2006 permitting the applicant to take water from 3 sources including Osler Reservoir. Steven further noted the flow is monitored and the applicant is not permitted to take water when the creek is low.
- Steven Christie noted Lynn Richardson of the Niagara Escarpment Commission was questioning when the pipes were installed as it relates to issuance of an NEC Development Permit, further noting there is no new development because this is an existing easement, further confirming the applicant would like to make this a permanent easement.
- Mayor Anderson then questioned the current size of the pipe, Steven answering the size of the pipe was increased in the 1990s under Poplar Road, but that there were no records to indicate the size of the newly installed pipe, Steven further noting the pipe size may not have increased.
- As no one further wished to speak Mayor Anderson declared the Public Meeting to be adjourned.

B.4 Plan of Subdivision / Zoning By-law Amendment - Part Lot 19, Concession 2, 2145317 Ontario Inc. (LMCM)

- Mayor Anderson then called the scheduled Public Meeting to order with all members in attendance, save Councillor McGee absent due to a previous commitment, and explained the purpose of the Public Meeting is to address a red-line revision to Draft Plan of Subdivision 42T-2001-01. The revision is required as a result of the final engineering design which proposes to establish a stormwater management facility on site. The 41 total units of which are currently draft plan approved will be retained, with adjustments being made to the lot lines along Tyrolean Lane.
- Ellen further noted the effect of this By-Law is to rezone a portion of the subject lands from the Residential (R2) Zone and Private Open Space (OS2) Zone to the Public Open Space (OS1) Zone.
- The subject lands to this By-Law are owned by 2145317 Ontario Inc. and are legally described as Part Lot 19, Concession 2, Part 1 Reference Plan 16R-2119 Town of The Blue Mountains.
- Ellen then noted if a person or public body that files an appeal of a decision of the Council of the Town of The Blue Mountains in respect of the proposed consent does not make written submissions to the Council of the Town of The Blue Mountains before it gives or refuses to give a provisional consent, the Ontario Municipal Board may dismiss the appeal.
- The Deputy Clerk then noted Notice of Public Meetings had been given in accordance with the provisions of the Planning Act and read

correspondence received from the Nottawasaga Valley Conservation Authority, Grey County Planning and Development Department, Niagara Escarpment Commission and Grey County Transportation and Public Safety Department

- Manager of Development Planning Rob Armstrong noted late correspondence was received as well as voicemail from Grey Sauble Conservation Authority noting support for the Application. Rob noted there is current draft plan approval for lands. Rob further noted a proposed change in the Plan of Subdivision was required as a result of the technical review of subdivision, in that the original stormwater management concept was not feasible. Rob further noted a change to the plan of subdivision in creating 3 additional lots backing onto Arlberg Crescent in place of lots now used for the SWM facility.
- Hanna Havlicek, owner of a short term accommodation property across from the subdivision then spoke, noting for forty years the area has been known as being a short term accommodation area. Hanna then questioned if this subdivision is to be a single family dwelling area or a short term accommodation area.
- Mayor Anderson then noted concern with short term accommodation on 41 lots, Rob replying that the new zoning by-law will create a new definition for single detached dwelling so as not to allow short term accommodation in this area and will be subject to new bylaws and to regulate short term accommodation not permitted under zoning by-law amendment.
- Deputy Mayor McKinlay then questioned the appropriateness of single family dwelling in short term accommodation area, Rob replying this can be dealt with in the zoning by-law and will be brought forward to council.
- Councillor Kennedy then questioned if Arlberg Crescent would be upgraded, Rob replying there will be a one foot reserve on the rear of lots backing onto Arlberg preventing any access onto Arlberg.
- As no one further wished to speak Mayor Anderson declared the Public Meeting to be adjourned.

B.5 Zoning By-law Amendment – Part Lots 158 and 173, Registered Plan 529 (Pt.Lot 20, Conc.2) – Eden Oak (Trailshead Inc.)

- Mayor Anderson then called the scheduled Public Meeting to order with all members in attendance save Councillor McGee absent due to a previous commitment, and explained the purpose of the Public Meeting is to address minor redline revisions that are proposed to be made to the draft approved subdivision (Grey County Application file No, 42T-2006-20) and address an error in the zoning of the boundaries of the large open space block (Block 79) in the centre of the development. The development is proposed as 77 single detached residential dwelling units on 17.2 hectares of land. These revisions would be facilitated by amending Zoning By-Law No. 2007-59 that was passed by Council in 2007, as well as rescinding all previous By-laws affecting the lands.
- Ellen further noted the effect of this By-Law is to rezone a portion of the lands from the Residential Third Density (R3-h) and Public Open Space (OS1) Zone to the Residential Third Density (R3-h), Hazard (H) and Public Open Space (OS1) Zone to recognize the revisions of the proposed development.

- The subject lands to this By-Law are described as Part Lots 158 and 173, Registered Plan 529; Part Lot 20, Concession 2, Town of The Blue Mountains. These lands are locally described as being 228 Lakeshore Drive East, near the intersection of Highway 26.
- Ellen then noted if a person or public body that files an appeal of a decision of the Council of the Town of The Blue Mountains in respect of the proposed consent does not make written submissions to the Council of the Town of The Blue Mountains before it gives or refuses to give a provisional consent, the Ontario Municipal Board may dismiss the appeal.
- The Deputy Clerk then noted Notice of Public Meeting had been given in accordance with the provisions of the Planning Act and noted no correspondence was received
- Manager of Development Planning Rob Armstrong reviewed minor changes to the draft Plan of Subdivision and noted an error in the zoning of the boundaries of the large open space block. Rob noted a minor change in the plan had been made as to the open space for a walkway and confirmed the open space block was zoned accordingly.
- As no one further wished to speak Mayor Anderson declared the Public Meeting to be adjourned.

B.6 Zoning By-law Amendment – Town of Thornbury By-law No. 10-77, as amended, Minimum & Maximum Front Yard Setback, King Street East, Bridge Street East, Arthur Street West (Highway #26)

- Mayor Anderson then called the final scheduled Public Meeting to order with all members in attendance save Councillor McGee absent due to a previous commitment and explained the purpose of the Public Meeting is to consider a proposed reduction in the required minimum front yard setback of 15 metres and create a new maximum front yard setback for lands zoned General Commercial C2 Zone within Thornbury and fronting onto King Street, Bridge Street and Arthur Street, along Highway 26. The proposed minimum front yard setback is one (1) metre and the maximum front yard setback is six (6) metres. In addition the proposed By-law Amendment would also consider permitting Institutional uses with the General Commercial C2 Zone
- Ellen further noted the By-Law applies to lands within the former Town of Thornbury and is not site specific.
- Ellen then noted if a person or public body that files an appeal of a decision of the Council of the Town of The Blue Mountains in respect of the proposed consent does not make written submissions to the Council of the Town of The Blue Mountains before it gives or refuses to give a provisional consent, the Ontario Municipal Board may dismiss the appeal.
- The Deputy Clerk then noted Notice of Public Meeting had been given in accordance with the provisions of the Planning Act and noted no correspondence was received
- Senior Planner Cindy Welsh then reviewed the proposed By-law and noted official plan amendment and zoning bylaw review in February 2008, adding Staff would be making a proposal for a reduction in the minimum front yard setback. Cindy noted the municipal building is presently under the Institutional Zone **and will be included in the C2 Zone.**
- Cindy then noted staff is proposing a minimum setback of one metre and noted this will improve streetscaping along the Highway #26 corridor,

- confirming Staff would like to bring buildings closer to the street. Cindy noted C2 zones were then reviewed areas in downtown area that would be affected by frontyard setbacks.
- Councillor Gamble noted strong concern with reducing the setback to 1 metre and would prefer a minimum 5 metre setback.
 - Cindy then showed photographs of Highway #26 and noted vacant land in C2 zone that would have to comply with setback if passed. Mayor Anderson then noted it would be similar to the streetscaping of the main street of Thornbury.
 - Cindy then noted her attendance at the Georgian Triangle Development Institute conference and noted presentation by ____ in support of the reduction in setback.
 - Councillor McGee then attended the meeting.
 - Cindy noted there would be more use of sidewalks and bike paths with the reduced front yard and noted this by-law is timely in terms of planning work and looking into the future
 - Cindy then reviewed the commercial aspect and noted the by-law has a maximum setback of 6 metres, minimum of 1 metre, confirming that currently there is a maximum set back of 15 metres
 - Bob then noted concern with snow removal and snow storage on Arthur Street West in the winter months
 - Councillor Martin then questioned if this would apply on Bruce Street South, Cindy replying no.
 - Michael then noted in more mature urban areas they are not permitted to have driveways and site lines become an issue and where there are driveways, loading areas are of concern as well
 - Deputy Mayor McKinlay then questioned if Council should have a refresher on planning rationale and whether the Town wishes to create a street where motorists slow down through town. Duncan further noted if Highway #26 continues to be a provincially travelled highway, this would be of concern when trying to merge onto the Highway if buildings are located closer to the street. Councillor Kennedy then responded to Duncan, noting that Tigs and the Cidery are at the setback we are proposing. Cameron then questioned how the Town can ask for a further setback from what we have now, Michael responding to Cameron that there are a lot of old buildings on Highway #26, and if they were redeveloped, they would be redeveloped to new standards.
 - Ellen then asked if Planning Staff could provide visuals of the proposed setback to council
 - Bob then noted the current structure of Arthur Street West has approximately a 15 metre setback and questioned, for example, if the drug store wished to expand, would it be allowed to expand to the road allowance, Duncan replying it is important to look at the whole picture and the long term change of character
 - Cameron noted the Town needs to be careful not to allow a four lane highway that reduces to 2 lanes and commented that the Town needs to have a more rural feel
 - Town CAO Paul Graham then noted the proposed setback range is between 1 metre and 6 metres and further noted the streetscape would not be a wall of buildings and it would depend on the site plan, some

buildings being set back further than others and would move parking to the rear of buildings

- Resident Paul Mitchell then spoke, questioning if the Mill Pond condominiums are too close to the road, Ellen responding that she has heard comments both in favour of and opposed to the close proximity of these condos to the road
- Duncan then noted the change in the road streetscape would allow for more assessment on each side of the road.
- As no one further wished to speak Mayor Anderson declared the Public Meeting to be adjourned.