

## Minutes - Public Meeting (Council Adjourned)



**MEETING DATE:** June 25, 2007 – 7:10 pm

**LOCATION:** L. E. Shore Memorial Library

**PREPARED BY:** Stephen Keast, Clerk

### A. Call to Order

- Mayor Anderson then called the first scheduled Public Meeting to order with all members in attendance and explained the purpose of the Public Meeting is for Council to consider By-laws that if enacted, would assume and close and stop up and sell a portion of the municipal highway described as Part of the road allowance between Lots 30 and 31, Concession 8.
- This proposal is related to a request by the adjacent landowner to purchase a 70 square metre portion of the road allowance to allow for an addition to an existing dwelling. The portion considered for closing and sale does not extend to Bay Street or Nottawasaga Bay and in exchange the Town would receive an easement from the landowner to maintain an existing drainage course to the north.
- The Clerk then noted Notice was given in accordance with the Town Notice By-law and read correspondence as received from area landowner Mrs. Jeremy Young.
- Mayor Anderson then asked if anyone wished to speak to the proposed By-laws.
- Area resident John Hunter then spoke in opposition to selling waterfront access.
- Planning Consultant Noel Bates then spoke on behalf of proponent Dr. Jerald Bain, noting there is no waterfront access being considered for sale and purchase in this instance, simply a portion of building envelope adjacent to an existing dwelling.
- Area resident Bill Abbotts then noted it appears the proposed purchaser has encroached out onto the road allowance portion with a shed and landscaping.
- Deputy Mayor McKinlay then questioned encroachment agreements on the road allowance lands, Mr. Bates noting he was unaware of any agreements and encroachments may have occurred over time as an extension of use over time, adding Dr. Bain was unaware of any public users along the road allowance.
- Mr. Bates then noted the Town was receiving an easement for drainage course maintenance purposes along Dr. Bain's western lot boundary in exchange for the building envelope.
- Manager of Development Planning Rob Armstrong noted an agreement would be prepared to address the easement and as well, any encroachments would be researched and addressed.
- Deputy Mayor McKinlay noted it will be important over time to retain waterfront access points, adding it was important for the Town to obtain the drainage maintenance easement.
- Councillor Gamble then questioned dimensions of the proposed parcel, Rob noting approximately 7 metres at the widest corner with the remaining road allowance to be retained by the Town.

- Councillor Kennedy then questioned zoning on the subject lands, Rob noting the Town did not typically sell access points to Nottawasaga Bay and zoning crossed road allowances.
- Cam then questioned if the public was aware of such access points, Director of Planning Peter Tollefsen noting the Leisure Activities Master Plan examined all such sites.
- Cam then noted sale of the subject lands would negate any possibility of a future sale of a full sized lot, Deputy Mayor McKinlay noting the Town will receive a maintenance easement and Council will further review the matter when a Staff Report comes forth, such access points likely to have a municipal use in the future.
- As no one further wished to speak, Mayor Anderson declared the Public Meeting to be adjourned.
- Mayor Anderson then called the final scheduled Public Meeting to order and explained the purpose of the Public Meeting is for Council to consider By-laws that if enacted, would assume and close and stop up and sell three portions of municipal highway allowance described as:
  1. Commerce Drive, Plan 1035, Beaver Valley Industrial Park; and
  2. Indian Creek Drive, Plan 1035, Beaver Valley Industrial Park; and
  3. Georgian Court, Plan 1035, Beaver Valley Industrial Park.

This proposal is related to the redevelopment of the Industrial Park lands by the owner, now to be known as the Thornbury Horse Park. The three highway allowance sections were originally deeded to the Town by the developer and have never been travelled, maintained or assumed, and Council will now hear public input on the proposal to sell the highway sections back to the owner.

- The Clerk then noted Notice had been given in accordance with the Town Notice By-law noting no correspondence had been received.
- Councillor McKean then questioned the total area of the subject road allowances, Rob noting Staff would review the matter further as part of the final site plan review and what portions of the road allowance would be considered for stopping up and selling.
- Deputy Mayor McKinlay then noted the development will generate traffic and any impact on the area road network should be considered in terms of the sale.
- Councillor Martin then noted a cul-de-sac abutting the Fire Hall property should be considered for squaring off for consistent lot lines, Councillor McGee then questioning process in such matters, the Clerk noting the Town has a Procedural By-law for the Sale of Public Land and notice of a public meeting to consider the matter is required as part of the process.
- As no one further wished to speak, Mayor Anderson declared the Public Meeting to be adjourned.