

## Minutes - Planning & Building Committee



**MEETING DATE:** July 5, 2010

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

**PREPARED BY:** Corrina Giles, Town Clerk

### A. Call to Order

- Chair Martin called the Committee meeting to order with designated Committee members Deputy Mayor McKinlay, Councillor Kennedy and Councillor McGee present. Also in attendance was Councillor Gamble.
- Also in attendance was Director of Planning and Building David Finbow, Planner Bryan Pearce and Planner Shawn Postma

- Approval of Agenda:

Moved by: Cameron Kennedy    Seconded by: R.J. Gamble

THAT the Agenda of July 5, 2010 be approved as circulated, including any items added to the Agenda.

- No member declared a pecuniary interest with regard to any matter listed on the Agenda.
- Previous Minutes

Moved by: D.R. McKinlay    Seconded by: Cameron Kennedy

THAT the Minutes of June 5, 2010 be approved as circulated, including any revisions to be made, Carried.

### B. Public Meetings - 7:00 p.m.

#### B.1 Zoning By-law Amendment

##### Part Lot 28, Arthur W/S – 2 Arthur Street West – Rambo Properties

Chair Martin read the Notice of Application and Public Meeting noting the purpose of this By-law is to consider a request to convert an existing single detached dwelling being used for residential purposes into a mixed use building with 119 square metres of Commercial floor space on the ground floor and 75 square metres of residential floor space on the second floor.

Michael noted the effect of this By-law is to rezone the subject property from the Residential R2 zone which permits single detached residential dwellings to the General Commercial C2 zone which permits a wide range of commercial uses including retail, office, restaurant, service commercial, and other commercial uses. Limitations on the range of permitted commercial uses will be considered in this By-law. Residential uses accessory to the Commercial uses are permitted in the General Commercial C2 zone.

Michael noted an application for Site Plan Approval has been submitted with this By-law Amendment and that in support of this application are a Planning Justification Report and a Functional Servicing and Stormwater Management Design Brief.

Michael noted the subject lands of this By-law are legally described as Part Lot 28, Arthur W/S and are locally known as 27 Arthur Street West; Town of The Blue Mountains, as shown on the attached sketch.

Michael noted any person or agency may attend the Public Meeting and/or make written or verbal representation either in support of or in opposition to the proposed Amendment.

Michael noted if a person or public body does not make oral or written submissions at a public meeting to the Town of The Blue Mountains in respect of the proposed Zoning By-law Amendment, the person or public body is not entitled to appeal the decision of Town Council to the Ontario Municipal Board; and may not be added as a party to the Hearing of an appeal before the Ontario Municipal Board.

The Clerk then read correspondence received from Grey County Planning and Development Department and the Grey Bruce Health Department.

Planner Shawn Postma then reviewed the Application noting development has been through Development Committee review and comments have been received. Shawn noted he does not anticipate major changes to the proposal and noted a Report will come back to Council with comments and recommendations.

Colin Travis, Consultant on behalf of Rambo Properties then spoke noting the lands are currently zoned residential and is proposing to be zoned general commercial. Colin further noted the intent is to have residential on the second floor and commercial on the first floor with rear yard parking and nine parking spaces. Colin noted some technical changes to be made include drainage.

Derrick Morely, resident at 7 Alma Street South, spoke questioning what will happen to the fence between his property and the subject land, further noting he would like assurance that the fence on the westerly limit will not be removed. Chair Martin replying noting Mr. Morely's comments have been received and will be noted and further noted a Staff member will be in touch with Mr. Morely.

Jeanette Adair, resident at 31 Arthur Street, spoke noting she lives next door and noted she is concerned with a possible liquor licence application at the subject property and a possible drive through application.

Maureen Isaacs, resident at 22 Arthur Street West, spoke noting she is concerned with congestion in the area, further noting the exact use of the property has not been identified so she is uncertain what her comments will be, but wanted to be on record.

Jayne Southerland, resident at 109 Bay Street, then spoke noting concern with parking and congestion.

As no one further wished to speak Chair Martin declared the public meeting to be closed.

## **B.2 Application for Consent North Part Lot 16, Concession 1 – Le Scandinave Spa**

Chair Martin read the Notice of Application for Consent for File No. B08-2010, noting the owner of the property is Le Scandinave Spa, the Applicant is Georgian Gate Limited and noted the purpose and effect of the Consent is to consider a request to sever a 10.19 hectare vacant parcel from the Le Scandinave lands and deed it as a lot addition to the Georgian Gate Limited lands to the South. A 10.0 hectare parcel will be retained by the Spa.

Michael noted the legal description for the property is Town of The Blue Mountains, North Part Lot 16 Concession 1, Part 1 16R-3687, the severed parcel having a frontage of 0 metres, an irregular depth and an area of 10.19 hectares. Michael noted the retained parcel has a frontage of 302 metres, an irregular depth and an area of 10.00 hectares.

Michael noted the access is on an open and maintained County Road with municipal sewer and municipal water.

The Clerk then read correspondence from the Nottawasaga Valley Conservation Authority, Grey County Planning and Development Department and Grey Bruce Health Unit.

Planner Shawn Postma then spoke providing a brief summary of the application noting the application is a property addition, with the severed parcel being added to the property to the south, for future residential development, with no changes proposed to Le Scandinave property. Shawn noted the Consent was granted in 2008 but the conditions were not met at that time.

Colin Travis, Consultant, spoke noting he is the Consultant for Georgian International and is authorized to speak on behalf of Le Scandinave. Colin noted the developer is looking to develop the lands and will incorporate the 10 hectares from the Spa property.

As no one further wished to speak Chair Martin declared the Public Meeting to be closed.

## **C. Deputation**

### **C.1 Bruce Taylor – Thornbury Clarksburg Citizen's Coalition 136965 Ontario Ltd. (Angelotti)**

Bruce Taylor spoke noting the purpose of his deputation is to provide the Thornbury Clarksburg Citizen's Coalition's concerns with the Angelotti development, including parking, traffic and severe congestion, visual impact, density, height, shadows, stormwater issues, and possible precedent this development may set.

Bruce noting the development contravenes the sense of place referenced in the Community Improvement Plan and noted the development is not in keeping with the Community Improvement Plan. Bruce referenced the PUDS Study and the infill guidelines.

Bruce then noted the Georgian Trail should be located on the Georgian Trail, not on Huron Street.

Bruce expressed concern with the seniors resident and questioned how the Town can ensure the development is for seniors only. Bruce noted he would like the zoning to be maintained as it is now.

Chair Martin thanked Mr. Taylor for his presentation.

#### **D. Staff Reports as circulated**

##### **D.1 Official Plan Amendment & Zoning By-law Amendment – PL.10.65 Part Lots 15 to 19 and Part McCauley Street, Parts 2 and 4, Plan 16R-8184 and parts 1 and 3, Plan 16R-8184 1136965 Ontario Inc. – Thornbury Gate**

Chair Martin spoke noting the Applicant has requested a delay of deliberation of his application.

Deputy Mayor McKinlay spoke noting he would like to receive the Report.

Moved by: D.R. McKinlay      Seconded by:      Cameron Kennedy

THAT the Planning and Building Committee receive Staff Report PL.10.65 “Application for: Official Plan Amendment and Zoning By-law Amendment, 1136965 Ontario Inc. – Thornbury Gate, Part Lots 15 to 19 and Part McCauley Street, Parts 2 and 4 Plan 16R-8184 and Parts 1 and 3 16R-8184, Town of The Blue Mountains” and;

THAT the Planning and Building Committee recommend that Council grant a delay in the application until further notice in accordance with the Applicant’s correspondence of July 5, 2010

In speaking to the recommendation, Deputy Mayor McKinlay spoke noting the Report brings forward a number of issues and concerns for Staff and the Committee and noted the Applicant should deal with these issues before the Committee votes on the matter.

Chair Martin then spoke clarifying that at some point the Applicant will provide notice that they wish to proceed with the Application, noting the Application could be in the same form, revised or the Application could be withdrawn in its entirety. Michael noted that all those interested will be noticed of the next meeting regarding this Report and Application.

Councillor McGee spoke noting the public should read the Report noting the Report recommends the Committee refuses the zoning by-law amendment and official plan amendment and was asking Staff to work with the Applicant to include the community involvement in the development.

The Committee then voted on the motion, Carried.

Deputy Mayor McKinlay then spoke noting this does not preclude Staff from working with the Applicant on this development.

## **D.2 Street Naming Policy Request – PL.10.54**

Moved by: Cameron Kennedy    Seconded by: John McGee

THAT Planning & Building Services Committee receive Staff Report PL.10.54, Street Naming Policy Request, and provide direction to Staff with respect to naming the following:

1. Lane running east from Bruce Street South to Leming Street (Addendum "A").

In speaking to the Motion, Councillor McGee questioned where the name Abby Road came from, Director of Planning and Building David Finbow replying there are two parts to the Report, one regarding emergency services and one being the name suggested by a resident. David further noted the Approved Street Name List is attached, and confirmed Abby Road is not on the list.

David also noted "Leeming Street" will be corrected to "Leming Street".

Councillor Kennedy spoke questioning if a precedent is being set by naming the street "Abby Road" at the request of a resident when the name is not on the list of approved street names and further questioned if it is a significant name in the heritage of the area.

Deputy Mayor McKinlay spoke noting there are not a lot of new streets in Thornbury and noted the Committee may be missing a chance to use a name on the Approved Street Name List.

In response to Cameron, David noted he cannot advise at this time, but noted he will report back after conducting a subsearch to determine if there are past owners of property in the area.

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

THAT Staff Report PL.10.54 Street Naming Policy Request, be tabled pending a subsearch of the subject lands on past owners and names noted on the Cenotaph for inclusion in a Report back to Council, Carried.

## **D.3 Application for Consent B05-2010 & B06-2010 & Zoning By-law Amendment – PL.10.68 Lot 2, Concession 5 – Adrian Op't Hoog/Hi View Farms**

Moved by: D.R. McKinlay    Seconded by: R.J. Gamble

THAT the Planning & Building Committee receive Staff Report PL.10.68 "Application for Consent B05-2010 and B06-2010, Zoning By-law Amendment, Adrian Op't Hoog / Hi View Farms, Lot 2, Concession 5, Town of The Blue Mountains";

THAT Council grant Application for Consent File Number B05-2010 subject to the following conditions:

1. The Payment of applicable Development Charges
2. The Payment of applicable Parkland Dedication Charges
3. That an Entrance Permit may be obtained from the Engineering and Public Works Department for the severed parcel.

THAT Council grant Application for Consent File Number B06-2010 subject to the following conditions:

1. Council enacting a Zoning By-law Amendment to recognize the deficient lot frontage and lot area requirements of the General Rural 'A1' Zone, and to increase the front yard setback to accommodate Minimum Distance Separation Requirements from adjacent livestock facilities.
2. The Payment of applicable Development Charges
3. The Payment of applicable Parkland Dedication Charges
4. That an Entrance Permit may be obtained from the Engineering and Public Works Department for the severed parcel.

THAT Council enact a Zoning By-law Amendment to recognize deficient lot frontage and lot area requirements of the General Rural 'A1' Zone and to establish a new minimum front yard setback of 85 metres for the severed parcel of Consent application B06-2010, Carried.

**D.4 Niagara Escarpment Commission – Development Permit Application  
File No. G/S/2010-2011/9046 – PL.10.61  
Part Lot 17, Concession 6 – Tom McConnell**

Moved by: Cameron Kennedy Seconded by: John McGee

THAT Council advise the Niagara Escarpment Commission that the Town has no objections to Development Permit Application File No. G/S/2010-2011/9046; legally described as Part Lot 17, Concession 6; Town of The Blue Mountains; subject to the following conditions:

1. That comments be received from County of Grey Planning and Development Department with regards to the thin overburden topography, to the satisfaction of the Niagara Escarpment Commission.
2. That the proponent have a qualified individual conduct a cultural heritage assessment to determine if there is significant cultural heritage features in the development area, if applicable with comments received by the County of Grey Planning and Development Department, to the satisfaction of the Niagara Escarpment Commission.

In speaking to the Motion, Deputy Mayor McKinlay questioned if the Niagara Escarpment Commission is in favour of solar panels, wind turbines, etc., Planner Bryan Pearce replying yes, through the Green Energy Act, any development proposal is required to go through the Niagara Escarpment Commission and to adhere to the Niagara Escarpment Commission.

The Committee then voted on the Motion, Carried.

**D.5 Official Plan Amendment & Consent B07-2010 – PL.10.67  
Part Lot 19, Concession 4, 689359 18<sup>th</sup> Sideroad – John Brown**

Moved by: D.R. McKinlay                      Seconded by: Cameron Kennedy

THAT the Planning & Building Committee receive Staff Report PL.10.67 “Application for Official Plan Amendment and Consent, John Brown, Part Lot 19, Concession 4, 689359 18<sup>th</sup> Sideroad, Town of The Blue Mountains”; and

THAT Council adopt Official Plan Amendment No. 21 in order to establish a new minimum lot frontage requirement of 54 metres for those lands identified as Part Lot 19, Concession 4, 689359 18<sup>th</sup> Sideroad; and

THAT Council grant Application for Consent File Number B07-2010 subject to the following conditions:

1. An Official Plan Amendment to permit a site specific exception to the Rural Policies that would establish a new minimum lot frontage requirement of 54 metres.
2. That the severed parcel be deeded as a lot addition to the property to the east in accordance with Section 50 (3) of the Planning Act, R.S.O. 1990.
3. That any existing mortgage commitment on the severed parcel to be added to be extended to cover the whole, newly created parcel.

In speaking to the Motion, Councillor McGee spoke noting this was granted in 2008 and questioned what had changed in the last two years, Planner Shawn Postma replying the application in 2008 proposed the lot as identified and noted a minimum lot frontage should be 100 metres so the owner could have applied for an official plan amendment to reduce the lot frontage but he decided not to and retaining the existing laneway with the property.

John then questioned if Engineering and Public Works are satisfied with two driveways so close together, Deputy Mayor McKinlay noted there is no traffic on this road as the road ends just past this driveway.

The Committee then voted on the Motion, Carried.

**D.6 Application for Site Plan Approval – PL.10.66  
Part Lots 20 & 21, Concessions 3 & 4 – 164 Craigleith Road  
Craigleith Ski Club Ltd.**

Moved by: Cameron Kennedy                      Seconded by: R.J. Gamble

THAT Council receive Planning Staff Report PL.10.66, “Application for Site Plan Approval – Craigleith Ski Club Ltd; Part Lots 20 & 21, Concessions 3 & 4; 164 Craigleith Road; Town of The Blue Mountains”;

AND THAT Council conditionally grant Site Plan Approval for the construction of 2 change facilities each with a gross floor area of 23.31 square metres, 13.38 square metre gross floor area mechanical shed, and 93.00 square metre pool with a deck area of 334.75 square metres, in accordance with the following drawings containing in this report, subject to the following conditions:

1. That the owner(s) enter into an Agreement with the Town pursuant to Section 41 of the Planning Act with respect to the subject proposal.
2. That the owner(s) address to the satisfaction of the Town's Director of Engineering and Public Works all outstanding engineering issues and obtain "Accepted For Construction" Drawings for the subject proposal.

AND FURTHER THAT Council authorize the Mayor and Clerk to execute an Agreement pursuant to Section 41 of the Planning Act, Carried.

**D.7 "The Dam Pub", 53 Bruce Street South – Noise By-law Relief Request – SRB.10.17**

Deputy Mayor McKinlay questioned what is required between 7:00 p.m. and 9:00 p.m., Director of Planning and Building David Finbow spoke noting an exception should be granted after 7:00 p.m. if a noise is likely to disturb.

David then noted Staff are looking at preparing a new noise by-law as requested by Council, but noted the drafter of the initial noise by-law has suggested the Town tread lightly on the redrafting of the noise by-law.

Moved by: D.R. McKinlay      Seconded by:      Cameron Kennedy

**THAT COUNCIL** receive Staff Report SRB.10.17 respecting "The Dam Pub", 53 Bruce Street South – Noise By-law Relief Request and grant the request from 7:00 pm to 9:00 pm

In speaking to the Motion, Deputy Mayor McKinlay spoke noting it is good to deal with the requests so the noise can be regulated, Chair Martin spoke noting he is satisfied with 9:00 p.m.

The Committee then voted on the Motion, Carried.

**D.8 OMB Appeal Update – Application for Draft Plan Approval – Plan of Subdivision & Common Elements Condominium & Zoning By-law Amendment, Town Plot Lots 37, 38, 39 & Part Lot 36, King Street E/S – Blue Mountain Villas/Matesa**

Planner Shawn Postma reviewed the Report, noting it is for information purposes only, noting it outlines the Matesa Development Project history including the public meeting and recent Ontario Municipal Board appeal. Shawn noting Staff are currently awaiting OMB direction, and noted those affected and those who spoke at the public meeting will be notified.

Moved by: John McGee      Seconded by:      Cameron Kennedy

**THAT** the Council receive Staff Report PL.10.62 "OMB Appeal Update for Draft Plan Approval – Plan of Subdivision and Common Elements Condominium Grey County File No. 42T-2006-04, Blue Mountain Villas, Town Plot Lots 37, 38, 39 and Part Lot 36 King Street E/S, Town of The Blue Mountains" Carried.

**E. Minutes & Reports List - Receive/Adopt**

N/A

**F. New & Unfinished Business**

N/A

**G. Next Meeting Date**

August 9, 2010 – Council  
September 8, 2010 - Committee

**H. Adjournment**

Moved by: John McGee                      Seconded by: Cameron Kennedy

THAT this Planning & Building Committee meeting does now adjourn.