

Minutes - Planning & Building Committee



MEETING DATE: September 9, 2009

LOCATION: L.E. Shore Memorial Library

PREPARED BY: Corrina Giles, Deputy Clerk

A. Call to Order

- Chair Martin called the Committee meeting to order with all members in attendance
- Also in attendance was Chief Administrative Office Paul Graham, Director of Planning and Building David Finbow, Director of Special Projects Peter Tollefsen, Senior Planner Cindy Welsh, Planner Shawn Postma and Planner Bryan Pearce
- Approval of Agenda:

Moved by: Cameron Kennedy Seconded by: John McGee

THAT the Agenda of September 9, 2009 be approved as circulated including and additions or revisions to be made, unanimously Carried.
- No member declared a pecuniary interest with any matter as listed on the Agenda.
- Previous Minutes

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

THAT the Minutes of July 6, 2009 be approved as circulated including any revisions to be made, unanimously Carried.

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

B.1 Notice of Application for Consents (B14-2009 to B18-2009) Part Lot 19, Concession 2 - Tyrolean Village Resorts Ltd.

B13-2009

Chair Martin then called the first scheduled Public Meeting to order and explained the purpose of the Public Meeting was to consider a request by the applicant to sever a new 1250 square metre residential parcel, while retaining an 8890 square metre vacant residential parcel.

Michael noted this Consent is submitted as part of Consent Applications No. B13-2009, B14-2009, B15-2009, B16-2009, B17-2009, B18-2009 and a Zoning By-Law Amendment Application. The purpose of these applications is to create a total of 7 vacant residential lots and to provide a trail access between proposed Lot 3 and Lot 4 over the lands.

The subject lands are owned by Tyrolean Village Resorts Ltd. and are legally described as Part Lot 19, Concession 2, Town of The Blue

Mountains. Michael noted Applications B13-2008 through B18-2009 all have no municipal water and no municipal sewer.

B14-2009

Michael then explained the purpose of this consent is to consider a request to sever a new 1286 square metre residential parcel, while retaining a 7616 square metre vacant residential parcel.

The subject lands are owned by Tyrolean Village Resorts Ltd. and are legally described as Part Lot 19, Concession 2, Town of The Blue Mountains. Michael noted Applications B13-2008 through B18-2009 all have no municipal water and no municipal sewer.

B15-2009

Michael then explained the purpose of this consent is to consider a request to sever a new 1286 square metre residential parcel, while retaining a 6330 square metre vacant residential parcel.

The subject lands are owned by Tyrolean Village Resorts Ltd. and are legally described as Part Lot 19, Concession 2, Town of The Blue Mountains. Michael noted Applications B13-2008 through B18-2009 all have no municipal water and no municipal sewer.

B16-2009

Michael then explained the purpose of this consent is to consider a request to sever a new 1490 square metre residential parcel, while retaining a 4334 square metre vacant residential parcel and 406 square metre parcel for trail purposes.

The subject lands are owned by Tyrolean Village Resorts Ltd. and are legally described as Part Lot 19, Concession 2, Town of The Blue Mountains. Michael noted Applications B13-2008 through B18-2009 all have no municipal water and no municipal sewer.

B17-2009

Michael then explained the purpose of this consent is to consider a request to sever a new 1490 square metre residential parcel, while retaining a 2945 square metre vacant residential parcel.

The subject lands are owned by Tyrolean Village Resorts Ltd. and are legally described as Part Lot 19, Concession 2, Town of The Blue Mountains. Michael noted Applications B13-2008 through B18-2009 all have no municipal water and no municipal sewer.

B18-2009

Michael then explained the purpose of this consent is to consider a request to sever a new 1490 square metre residential parcel, while retaining a 1455 square metre vacant residential parcel.

The subject lands are owned by Tyrolean Village Resorts Ltd. and are legally described as Part Lot 19, Concession 2, Town of The Blue

Mountains. Michael noted Applications B13-2008 through B18-2009 all have no municipal water and no municipal sewer.

Michael then read the Notice of Application & Public Meeting to consider a zoning by-law amendment and noted the purpose of the By-Law is to consider a request by Tyrolean Village Resorts to proceed with Phase III of their subdivision which involves the creation of seven vacant residential lots along the unopened portion of Arlberg Crescent. The extension of Arlberg Crescent will also provide frontage to eight additional lots already created through the previous subdivision phases.

Michael noted as part of this development, a trail connection is proposed connecting Settlers Way and Arlberg Crescent. An exception is also provided to permit the seven proposed lots to be used for short term accommodation purposes.

Michael noted this by-law is submitted in conjunction with Consent Applications B13-2009, B14-2009, B15-2009, B16-2009, B17-2009 and B18-2009.

The effect of this By-law is to rezone the subject lands from the Development 'D' zone to the Residential 'Rs-226-h' zone and Public Open Space 'OS1 Zone. The Holding '-h-' symbol will be used with conditions for the execution of a Development Agreement for the required extension of Arlberg Crescent and related services.

The subject lands of this By-law are owned by Tyrolean Village Resorts, and are legally described as Part Lot 19, Concession 2, Town of The Blue Mountains, as shown on the attached sketch.

Michael then 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 Deputy Clerk then noted notice of the Public Meeting was given in accordance with the Planning Act and read correspondence as received from the Niagara Escarpment Commission, Grey Sauble Conservation Authority and Grey County Planning.

Clinton Stredwick, Consultant with D.C. Slade then reviewed the Application and identified the location of the subject property.

Deputy Mayor McKinlay then joined the meeting.

Clinton noted a development agreement is in place for the extension of Arlberg Crescent and to provide servicing for the subject lots and the lots on the other side of the street, further noting this proposal would complete Phase 3 of the Tyrolean subdivision.

Clinton identified the location of the proposed trail to connect to the existing trail and noted the lots are all the same size.

Clinton spoke in response to the County comments, noting a justification letter was submitted with the Application and further noted the justification

letter has since been sent to the County. Clinton further noted the Application conforms with the Official Plan and he believes it is appropriate to proceed as the consents are not part of a plan of subdivision. Clinton noted the lots are comparable to the lots in the area.

Clinton spoke in response to the NEC comments, noting the zoning referenced in the NEC letter is incorrect.

Clinton reviewed the effect of the zoning by-law amendment to rezone the lands from the Development 'D' to Residential Exception and Public Open Space and noted the exception is to designate the lands for short term accommodation, noting the lands are permitted to be designated short term accommodation.

Deputy Mayor McKinlay then spoke, questioning if Grey County's concerns have been answered, Clinton replying he believes he has addressed the County's concerns and further noted correspondence sent to the County with the Application addressed issues raised by the County.

Director of Planning & Building David Finbow spoke, noting discussions will be held with Grey County and Niagara Escarpment Commission regarding their concerns and all issues will be addressed and reported back to Council.

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

**B.2 Notice of Application for Consent (B22-2009)
Part Lots 17 & 18, Concession 6, Part 1, RP 16R-3689
Elmore Clifton Carr**

Chair Martin read the Notice and noted the purpose of this consent is to consider a request to sever a 2.687 hectare vacant rural parcel on the eastern portion of the property and deed it as a lot addition to the existing 17.792 hectare parcel to the east, containing an existing dwelling, detached garage and roll-off roof observatory. A 10.435 hectare vacant rural parcel would be retained.

Michael noted the consent is related to Niagara Escarpment Commission Development Control Permit G/R/2008-2009/9128 that was conditionally approved on July 24, 2009.

The legal description of the property is Part Lots 17 and 18, Concession 6, RP 16R-3689 with the severed parcel having a frontage of 40 metres and an area of 2.687 hectares and the retained parcel having a frontage of 201 metres and an area of 10.435 hectares. The property has access on a seasonally open and maintained municipal road.

The Deputy Clerk then read correspondence received from the Niagara Escarpment Commission, Grey County Public Health Unit and Grey County Planning.

The owner/applicant Cliff Carr then spoke, noting the reason for the consent is to realign the lot line with an existing tree line, rather than through the middle of a field.

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

**B.3 Notice of Application for Consent (B20-2009)
Part Lot 15, Concession 8 - Rainmaker Estates Inc.**

Chair Martin read the Notice and noted the purpose of this consent is to consider a request to sever a 245 square metre portion of the subject lands and deed it as a lot addition to the adjacent property to the north. The intent of this lot addition is to provide additional space to construct a garage off of the existing dwelling and carport.

The legal description of the property is Part Lot 15, Concession 8, the severed parcel having a frontage of 0 metres and an area of 245.0 square metres and the retained parcel having a frontage of 48.3 metres and an area of 2859.4 square metres. The property has access on an open and maintained county road.

The Deputy Clerk then read correspondence received from Grey Sauble Conservation Authority and Grey County Planning.

Councillor Gamble then questioned the location of the property, Deputy Mayor McKinlay noting the property is located in the Village of Ravenna and further noted the reason for the consent application is to facilitate the addition of a garage.

As no one further wished to speak, Michael declared the public meeting to be closed.

C. Staff Reports as circulated

**C.1 Application for Zoning By-law Amendment & Site Plan Approval –
PL.09.101
Part Lot 31, Concession 9 - Sheffield Museum**

Planner Shawn Postma reviewed the Report , noting the Application is for a zoning by-law amendment and site plan approval and further noted there are a few minor issues outstanding with the trail that should not hold up the passing of the zoning by-law amendment and the site plan approval.

Shawn made reference to the draft by-law included with the Report and noted it will require a small amendment in Section 2 regarding the artefact storage. Shawn noted planning staff have no objection to the amendment and the amended by-law will be included in the next council package.

The Committee then dealt with the following Recommendation:

Moved by: John McGee Seconded by: Cameron Kennedy

THAT the Planning & Building Committee receive Staff Report PL.09.101, “Application for Zoning By-law Amendment and Site Plan Approval – Sheffield Park Museum, Part Lot 31, Concession 9, Town of The Blue Mountains”; and

THAT Council enacts a Zoning By-law Amendment to rezone the subject lands from the Recreational Commercial ‘C4-10’ zone to the Institutional ‘I-h’ zone, unanimously Carried.

new noise by-law to Council in the spring, and that he would follow up with our solicitor on the status.

The Committee then voted on the Recommendation, unanimously Carried.

C.5 Building Permit Stats – August

The Committee then dealt with the following Recommendation:

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

THAT COUNCIL receive Staff Report SRB.09.18, "Permit Statistics, Jan. – Aug. 2009.", unanimously Carried.

C.6 Keeper's Cove – Request for Draft Plan Extension

Deputy Mayor McKinlay questioned if one year is the maximum extension period permitted, David replying that the Official Plan speaks to a general one year extension.

Councillor McGee then spoke questioning the purpose of the \$400 cheque to Grey County from Reid's Heritage Homes, David replying the County has a fee for draft plan approval extensions.

The Committee then dealt with the following Recommendation:

Moved by: John McGee Seconded by: Cameron Kennedy

THAT Planning & Building Committee does receive Planning Staff Report PL.09.102, "Request for Draft Plan Extension, File No. 42-CDM-2006-21, Keepers Cove, Part Lot 39, Concession 12 being Part of Lots 1 & 3 Registrars Compiled Plan 1032, Town of The Blue Mountains"; and

THAT Council support the extension of Draft Plan Approval of a Plan of Condominium as noted in the Planning Staff Report for a maximum period of one (1) year from the expiry date of October 12, 2009.

In speaking to the Motion, Councillor Kennedy referenced servicing extensions or reservations and questioned if the Applicant could apply for a second extension applicable, David replying that Town Staff must ensure the Applicant is serious, noting in this instance the developers of Keepers Cove have spent a significant amount of money with servicing and with current market conditions, they require an extension.

The Committee then voted on the Recommendation, unanimously Carried.

D. Minutes & Reports List - Receive/Adopt

Moved by: John McGee Seconded by: R.J. Gamble

THAT the Committee of Adjustment Minutes of June 18, 2009 and July 16, 2009 be received, unanimously Carried.

Director of Planning & Building David Finbow then spoke regarding a Committee of Adjustment minor variance recently granted, though Grey County did not consent to the minor variance. David noted Grey County was considering appealing the minor variance, but recent discussions with the

County resulted in no appeals by the County or by neighbouring property owners.

Chair Martin then questioned if a property does not front on a road, how is the property owner to gain access, David replying through an easement.

Deputy Mayor McKinlay then spoke, noting he was at Grey County when the subject matter was discussed and it was determined by Grey County that it is the County's obligation to advise the Town of its concerns on minor variances.

E. New and Unfinished Business

1. The Village at Blue Mountain Foundation 5th Annual Charity Golf Tournament – Sponsorship Opportunities.

Councillor Gamble then noted at the Finance & Administration Committee Meeting a sponsorship was approved for \$250 for one of the holes at the Village at Blue Mountain Foundation Golf Tournament, Chair Martin replying he is satisfied with this.

Councillor Gamble then spoke regarding a fundraising event on Saturday September 12 at the Meaford Golf & Country Club in support of "Drive-Fore-Teens" to educate younger drivers in the community. Bob noted the event organizers are looking for support from the Town, Michael then spoke noting the event can be addressed at the Special Council Meeting scheduled for 8:00 p.m. this evening.

F. Closed Session

N/A

G. Next Meeting Date

October 5th, 2009.

H. Adjournment

Moved by: John McGee Seconded by: Cameron Kennedy

THAT this Planning & Building Committee meeting does now adjourn, unanimously Carried.