

B.12 Correspondence, if any

None

C. 5:00 PM Public Meetings / Deputations

Mayor McKean noted under the authority of the *Municipal Act, 2001* and in accordance with Ontario's *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA), The Corporation of the Town of The Blue Mountains wishes to inform the public that all information including opinions, presentations, reports and documentation provided for or at a Public Meeting, Public Consultation, or other Public Process are considered part of the public record. This information may be posted on the Town's website and or/ made available to the public upon request.

C.1 Statutory Public Meetings

C.1.1 Public Meeting: Application for Amendment to the Accessible Person Parking By-law, (McGillis – 21 Bruce St North)

Mayor John McKean read the notice of Application for an Amendment to the Accessible Person Parking Bylaw.

John noted the Town's Accessible Parking Bylaw 2004-116, as amended, requires owners and operators of parking lots or other parking facilities to which the public has access, to provide designated parking spaces for the sole use of vehicles displaying a Accessible Person Parking Permit in accordance with the Highway Traffic Act.

John further noted the purpose of this Public Meeting is to obtain public and agency comments on a site specific amendment to this bylaw, proposed by the owner of 21 Bruce Street North, to re-establish an existing accessible parking space, located on the property, to be in force during normal business hours only.

The Town Clerk spoke noting that notice of the public meeting was given in accordance with the Town's Notice Policy, and that in response no comments were received.

Director of Planning and Development Services Michael Benner spoke noting that the applicant owns the property at 21 Bruce Street North, further noting that the site contains an orthodontics business with accessory uses on the third floor. Michael noted that in accordance with By-law 2004-116 businesses must provide an accessible parking space for those that have parking lots, and that the spot must be available 24 hours a day, 7 days per week.

Michael Benner noted that the site has three parking spaces, one of which is an accessible parking space. Michael noted that the business operates two days per week. Michael noted that the applicant is asking that on the non-business days, that the accessible parking space revert back to additional parking space. Michael noted that the request requires including an exception to the by-law to recognize the time and nature of the request.

Councillor Seguin spoke questioning if the request is for days the business is not operating, just the evenings or for a tenant. Michael Benner spoke in response noting that the applicant is requesting that the parking space be a normal parking space for the days that the business is not opened, including overnight.

Deputy Mayor Ardiel spoke noting this sets a precedent and questioned if the property is sold, if this use will continue to the new owner. Michael Benner spoke in response noting that the requirement for an accessible parking space is in line with commercial parking requirements. Michael Benner noted that if the property resorted back to residential, that an accessible parking space would not be required.

Councillor Halos spoke questioning if there are any on-street accessible parking spots north of the street lights at Bruce Street, Michael Benner spoke in response noting that he does not believe so, further noting if so, the space would be associated with the business in that area.

Mayor McKean then questioned how this will be communicated to the public and by-law enforcement as to when it is an accessible parking space, and when it is not. Michael Benner spoke in response noting that the Chief Building Official and By-Law Enforcement advise that the sign could dictate the hours when it is an accessible parking space, but that the sign would have to be changed when the hours of operation change. Michael Benner noted that another option is “bagging” the sign when it is not an accessible parking space. Michael Benner noted that his recommendation would be that the sign state the hours when it is an accessible parking space, ie. Tuesday and Thursday 9:00 a.m. to 6:00 pm.

As no one further wished to speak Mayor McKean declared the Public Meeting to be closed.

C.1.2 Public Meeting: Application for Zoning Amendment (Accessory Apartments)

Mayor John McKean read the notice of Application for Zoning Amendment for Accessory Apartments.

John noted the purpose of this Public Meeting is to obtain public and agency comments on proposed Zoning By-law Amendments that would permit second units within existing dwellings (basement apartment), above accessory structures (apartment above garage) and within new structures (second dwelling) on the same property as the primary dwelling. A second unit is a self-contained residential unit that provides an independent entrance, kitchen, bathroom, and living facilities.

John noted the purpose of the proposed Zoning By-law Amendments is to implement changes made to the “Planning Act” by the “Strong Communities through Affordable Housing Act, 2011”. These changes mandate that municipal Official Plans provide policies for second units. Official Plan policies are now in place through the approval of the June 2016 Town of The Blue Mountains Official Plan.

John noted the effect of the proposed Zoning By-law Amendments is to establish provisions that must be met to install a second unit within the Town of The Blue Mountains

John noted that if you want to be notified of a decision, you must make a request in writing if you wish to receive a notice of any decision of Council on this proposal.

John further noted that Section 34(19.1) of the Planning Act stipulates that there are no rights to appeal a By-law regarding second units. Therefore a decision of Council on second units cannot be appealed to the Ontario Municipal Board.

The Town Clerk spoke noting that notice of the Public Meeting was given in accordance with the Town’s Notice Policy and that in response, comments were received from Historic Saugeen Metis Lands, Resources and Consultation Department, Grey County Planning and Development Department, Nottawasaga Valley Conservation Authority, The Blue Mountains Attainable Housing Corporation, Christine Sivell.

Planner Shawn Postma spoke providing an explanation of what an accessory apartment is, noting that it is a self-contained residential unit with its own entrance, bathroom and kitchen. Shawn then noted the reasons why accessory apartments should be permitted, further noting that the municipality is now required to allow accessory apartments under the Affordable Housing Act. Shawn spoke regarding the benefits of accessory apartments, noting that it supports the demographics, and that it is an effective use of land and infrastructure. Shawn noted that the municipality has the ability to control the official plan and zoning by-law amendments.

Shawn noted that this public meeting considers accessory apartments, and the rules and regulations. Shawn noted that one accessory unit is available as a right within a dwelling, and that it must meet the Building Code. Shawn confirmed that Building Code inspections are required, and that accessory units are permitted both in the urban and rural areas. Shawn noted that a maximum of two bedrooms is permitted, and that the size cannot be any larger than 50% of the dwelling, and one additional parking space is required. Accessory apartments in accessory buildings must meet height, setbacks and lot coverages and must use the same entrance and be located near the main dwelling. Shawn confirmed that accessory apartments cannot be used for short term accommodation units.

Shawn noted that the Province dictates that the by-law should be more flexible than restrictive, and that no public meeting is required and there is no appeal process.

Shawn noted that this is very preliminary, and that a staff report will come back to Council in the future noting all comments and concerns.

Councillor Seguin questioned if this will be a town-wide by-law, Shawn replying yes.

Councillor Seguin spoke questioning if accessory apartments are subject to capital water and sewer charges. Shawn spoke in response noting that accessory apartments are exempted from water and capital charges, further noting he will confirm this with Deputy Treasurer Sam Dinsmore and will report back to Council.

Councillor Seguin noted that just one parking space must be provided, Shawn spoke noting that if one space cannot be provided, that an accessory apartment would not be permitted.

Councillor Seguin then questioned if accessory apartments could be permitted in commercial units, Shawn spoke in response noting that this is being considered through the new comprehensive zoning by-law. Shawn noted that apartments above commercial units will be permitted, but would be subject to a different part of the by-law.

Councillor Martin questioned if this is a requirement under the Planning Act, Shawn spoke in response noting this is under the Affordability Housing Act, which changed the Planning Act. Councillor Martin questioned if this must be applied to the entire municipality, Shawn replying no, but that there must be a by-law in place.

Councillor Martin then spoke noting that a summary of information should be available to the public so they understand what is proposed.

Councillor Halos spoke noting it is important to have this in place for the entire municipality, further noting it is advantageous to the entire municipality.

Bruce Taylor, resident on Bay Street, Thornbury, spoke noting he is presenting on behalf of the Blue Mountains Attainable Housing Corporation, noting the Corporation supports this zoning by-law amendment, further noting it helps to defray the costs of ownership. Bruce noted that owners will be encouraged to build secondary suites, further noting there is a lack of rental housing in The Blue Mountains.

Ben Frisch, Thornbury resident spoke noting he is looking at the possibility of an accessory apartment in his home to keep his father-in-law close, and to add value to the home. Mr. Frisch expressed support for accessory apartments.

Christine Sivell spoke noting she is a rural resident and that she supports accessory apartments, further noting that young people need this as many jobs in the area are low paying and the cost of rent is high. Ms. Sivell noted that 50% to 60% of income goes to rent in The Blue Mountains, further noting that real estate is very expensive here, and many rent units out to skiers.

Sidney McFarlane, Elma Street resident Thornbury, spoke noting she supports accessory apartments, but questioned how the Town can manage it so that the units do not become short term accommodation units. Michael Benner spoke noting the short term accommodation by-law continues to be enforced, and that the licensing requirements would have to be complied with. Michael Benner noted that the Town has existing policies in place that would help to control short term accommodation units in the municipality. Michael Benner noted that rental sites are monitored, and action taken, as appropriate.

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

C.1.3 Public Meeting: Application for Zoning Amendment (Thornbury Downtown C1 Zone)

Mayor John McKean read the notice of Application for the proposed Zoning Amendment that would affect all C1 zoned properties in the Downtown Area of Thornbury.

John noted the Town of The Blue Mountains is considering a change to the Commercial C1 zoning provisions of the Town of Thornbury Zoning Bylaw to permit “Inns” as a permitted accessory use.

John noted the Town of Thornbury Zoning Bylaw 10-77, as amended, permits accessory residential uses on the second floor of commercial establishments within the Commercial C1 zone. John noted the Town has received a request from business within the C1 zone to also provide accommodations for the travelling public and local tourists. John noted this type of accommodation is typically associated with the operation of an Inn. John noted accordingly, the Town is considering the merits of including “Inns” as an accessory use within the Commercial C1 zone.

John noted if a person or public body does not make oral submissions at a public meeting or make written submissions to Town of The Blue Mountains before the by-law is passed, the person or public body is not entitled to appeal the decision of Council to the Ontario Municipal Board.

John further noted if a person or public body does not make oral submissions at a public meeting, or make written submissions to Town of The Blue Mountains before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

The Town Clerk spoke noting that notice of the public meeting was given in accordance with the Planning Act, and that in response comments were received from Grey County Planning and Development, Bluewater District School Board, Historic Saugeen Metis, Lands, Resources and Consultation Department.

Michael Benner spoke noting existing uses are on second floor of commercial units, further noting that residential uses are permitted as ancillary uses to the main use. Michael Benner noted that the C1 Zone provides additional regulations for accessory resident uses and are recognized under ancillary uses.

Michael Benner noted that the Bruce Street commercial owners appealed to Council and staff earlier this year to allow the use of second floors of commercial units as a commercial unit. Michael Benner noted that staff are cognizant of the concerns of short term accommodation uses.

Michael Benner noted that other municipalities that allow “Inns” were contacted, further noting that the Thornbury By-law is silent about the C1 area. Michael Benner then read the definition used in other municipalities noting that it is a stay for a few nights. Michael Benner noted that when compared with The Blue Mountains’ short term accommodation uses, staff believe this to be a different use as a short term accommodation unit is in residential areas and have a number of bedrooms for up to 30 days.

Michael Benner noted that an Inn is geared to the visiting public. Michael Benner noted that parking, Building and Fire Code requirements and potential licensing, and neighbouring uses will be considered. Michael Benner questioned if the Innkeepers Act would be sufficient or if licensing should be imposed. Michael Benner noted that staff believe this use would fit well in the Thornbury area.

Councillor Martin spoke noting this is proposed for the entire C1 area in the Core Area and questioned why this is being proposed for the entire C1 Zone when just two businesses requested this. Michael Benner spoke in response noting that there is a potential that longer accessory residential units could also be converted, further noting that this could be a comprehensive change in the new By-law or it could be site specific. Councillor Martin spoke noting that there should be a market study completed on the impact on other businesses before moving forward with the whole of the C1 Zone. Michael Benner spoke noting he will look into this.

Councillor Seguin spoke and questioned if all commercial owners in the C1 Zone could have an Inn, Michael Benner replying yes.

Councillor Seguin spoke noting the Notice of Public Meeting does not define residential or commercial, and questioned the parking requirements. Michael Benner spoke in response noting that it would be a commercial residential use, and that one parking space per unit would be required.

Councillor Halos then spoke noting that the term ancillary residential use is confusing.

Michael Benner spoke noting the zoning goes back to 1977, further noting that ancillary residential use was for affordable housing in the downtown local area. Michael Benner noted that as downtowns have developed in tourist areas and different uses, that ancillary use could be problematic. Michael Benner noted that the use should be “accessory” use rather than “ancillary”.

Deputy Mayor Ardiel spoke noting she is hopeful that commercial owners would not displace current long term tenants to move their units to Inns.

Terry Kellar, 111 Lucille Wheeler Crescent, spoke noting the definition of “Inn” is similar to short term accommodation, with a few differences. Terry noted that parking would be an issue as just one parking space is required. Michael Benner spoke in response noting that, yes, there are similarities. Michael Benner noted that the difference is that short term accommodation units are generally in houses rather than an apartment above a store.

Randy Litchfield, owner of Corner Café and Grille, spoke noting he has been renting his unit out for 2.5 months, further noting that the unit has brought many tourists to the area. Randy noted that good feedback has been received and the guests are impressed by the Town. Randy questioned why the Town cannot have both short term accommodation and Inn uses.

Deputy Mayor Ardiel spoke noting that the short term accommodation licensing regime has licensing costs, and questioned if the Inns would be imposed fees as well. Michael Benner spoke in response noting that historically there has been no charge for Inns, but that this will likely be considered.

Councillor Seguin spoke with respect to parking, and questioned if the owners cannot meet the parking requirements if a fee in lieu of parking would be determined and imposed on the owner. Michael Benner spoke in response noting that this is correct, that there is a parking relief by-law in place. Michael Benner spoke in response that the parking relief by-law is a concern as those are overnight uses and generally parking spaces are for day uses. Michael Benner noted that how parking is addressed is an important factor and will be considered.

Councillor Martin questioned if Inns are permitted in C2 Zones, Michael Benner replying yes, as well as hotels and motels. Councillor Martin questioned if the C1 Zone could be rezoned to C2 zone, Michael Benner replying, yes this is an option.

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

