

Minutes - The Blue Mountains Planning Council Meeting



MEETING DATE: September 17, 2007 – 7:00 pm
LOCATION: L. E. Shore Memorial Library
PREPARED BY: Stephen Keast, Clerk

A. Call to Order

- Mayor Anderson called the meeting to order with all members in attendance save Deputy Mayor McKinlay, absent due to a previous commitment.
- Also in attendance were Chief Administrative Officer Paul Graham, Director of Planning Peter Tollefsen, Director of Engineering & Public Works Reg Russwurm, Manager of Development Planning Rob Armstrong, Planners Shawn Postma and Bryan Pearce, Senior Policy Planner Cindy Welsh,
- Council then paused for a moment of Personal Prayer or Reflection
- Approval of Agenda
Moved by: John McKean Seconded by: R. J. Gamble
THAT the Agenda of September 17, 2007 be approved as circulated, including any items added to the Agenda, Carried.
- No member declared a Pecuniary Interest with any matter as listed on the Agenda.

B. Public Meetings – Council Adjourned

None

C. Motions and Staff Reports

Council then dealt with the following Resolution:

1. Planning Committee of the Whole

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

THAT Council do now move into Planning Committee of the Whole with Chair of Planning Michael Martin in the Chair, Carried.

2. Application for Zoning By-law Amendment – Cameron McCron, Part Lot 13, Plan 355, 114 Church Street (Heathcote) - #PL.07.109

Planner Shawn Postma then reviewed the Report, noting no concern had been raised with regard to the proposal.

The Committee then dealt with the following Recommendation:

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

THAT Council does receive Planning Staff Report No. PL.07.109, “Application for Zoning By-law Amendment – Cameron McCron, Part Lot 13, Plan 355, 114 Church Street (Heathcote)”;

AND THAT Council does hereby support the application for Zoning By-law Amendment to rezone the subject lands from Institutional (I) zone to the Village Residential (VR) zone, Carried.

3. Application for Consent, File No. B27-2006, Jeffery and Bonnie Flemington, West ½ Lot 19, Concession 4, 596197 4th Line - #PL.07.45

Shawn then reviewed the Report, noting the original application proposed 2, 10.1 hectare lots, now revised to sever a 4.8 hectare parcel to preserve agricultural lands currently in production.

In speaking to the Report, Councillor Gamble requested clarification of the two proposed parcels, Shawn noting two parcels of 10.1 hectares each were originally proposed, the application being revised to propose two lots of 4.8 and 15.2 hectares respectively.

Bob then questioned the number of severances on the property, Shawn noting the subject application would be the last severance permitted on the original Township half lot.

Councillor McKean then questioned out-buildings on the lands, Shawn noting a steel barn and drive shed existed with no livestock use at present.

Shawn noted Minimum Distance Separation regulations would apply if livestock is to be introduced to the land, John noting land use may change over time and livestock could be reintroduced. Shawn then noted zoning could address animal limits.

Shawn further noted the Staff Report Recommendations are to be revised with the substitution of “retained” for “severed” in Condition 5, Council accepting the revision.

The Committee then dealt with the following Recommendation:

Moved by: Ellen Anderson Seconded by: John McGee

THAT Council does receive Planning Staff Report PL.07.45, “Application for Consent File No. B27-2006, Jeffery and Bonnie Flemington, West ½ Lot 19, Concession 4, 596197 4th Line;

AND THAT Council does hereby grant approval to Application for Consent File No. B27-2006, subject to the conditions stated in Planning Staff Report No. PL.07.45, as revised, Carried.

4. Bruce and Emily Burgetz, Lot 26, 27, 28 and Part Lot 25, Plan 515, 175 and 177 Sunset Boulevard - #PL .07.104

Shawn then reviewed the Report, noting Lot 28 was originally included in the deeming but is no longer required to be deemed at this time as a septic tile bed can be contained within the expanded lot comprised of part Lot 25 and Lots 26 and 27.

Councillor Gamble then questioned property ownership, Shawn noting all subject lots were in the same ownership, with separate titles as being lots in a plan of subdivision, a deeming by-law allowing lots to merge in ownership and title.

Councillor McGee then questioned status of an adjacent municipal right of way to the east and requested consideration of any proposed public use of the right-of-way.

Councillor Kennedy then noted an existing building envelope appeared to cross lot lines, Shawn clarifying all existing buildings will be removed prior to any proposed construction on the merged lot, noting the ownership included the eastern position of Lot 25 as well.

Shawn then noted there are a number of municipal rights-of-way along Sunset Boulevard.

The Committee then dealt with the following Recommendation:

Moved by: John McKean Seconded by: Cameron Kennedy

THAT Council does receive Planning Staff Report, #PL.07.104 "Bruce and Emily Burgetz, Lots 26 and 27 and Part Lot 25, Plan 515, 175 and 177 Sunset Boulevard, as revised;

AND THAT Council does hereby support a Deeming By-law to designate Lots 26 and 27 of Registered Plan 515 to be deemed not to be part of a Registered Plan of Subdivision in accordance with Section 50(4) of the Planning Act, R.S.O. 1990, c P.13, Carried.

5. Memorandum of Understanding – Peaks Bay, Delphi/Phoebus, Smith and Tabone Lees, Part Lot 25, Concession 5 and 6 - #PL.07.112

Manager of Development Planning and IS Rob Armstrong then reviewed the Report, noting the Memorandums will result in the Town receiving a public road, being Street "A", together with Highway access to the Delphi parkland.

Councillor Gamble then questioned proposed Town works on the Delphi parkland, Rob noting Town works would include access road works only, with the developer to install water servicing. Director of Engineering & Public Works Reg Russwurm then noted sanitary service could be extended from the low pressure trunk line on the north side of Highway 26.

Bob then questioned timing for additional road construction, Rob noting only Street "A" is proposed at this time.

Bob then questioned if development charges would apply to the proposed Smith lots, Rob replying yes.

Councillor Kennedy then questioned further access to Highway 26, Rob noting all residential access will be from Street "A" and the intersection across from Georgian Peaks.

Councillor McGee then questioned traffic impact in the neighbourhood from users accessing the Delphi parkland, Rob noting the only area access from Highway 26 will be for the Town park with all residential access through Street "A" and entering at the new intersection.

Chair Martin then questioned creation of lots by the consent process on the Smith property, Rob noting the street portion would be dedicated directly to

the Town with Peaks Bay constructing all related works, the consent process deemed as appropriate in this instance.

Michael then questioned why expropriation was still considered in the Memorandum, Town solicitor John Metras noting it remains simply as an option, Michael noting the Town would retain the option at any rate. Rob then clarified the Memorandum noted the developer would be responsible for any costs associated with such a process.

John then noted the other parties mentioned in the Memorandum are aware of the reference.

The Committee then dealt with the following Recommendation:

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

THAT Council does receive Planning Staff Report #PL.07.112
“Memorandums of Understanding – Peaks Bay, Delphi/ Phoebus, Smith and Tabone Lees” Part Lot 25, Concession 5 and 6;

AND THAT Council approve the execution of the Memorandums of Understanding by the Mayor and Clerk based on the comments contained in the Staff Report subject to final approval by the Town Solicitor, CAO, Manager or Development Planning and Director of Finance, Carried.

6. Short Term Accommodation Meetings - #PL.07.110

Planner Cindy Welsh then reviewed the Report together with comments received to date, following a facilitated public meeting held on June 20, 2007. Cindy then noted the dates for the proposed open house and statutory public meeting.

The Committee then dealt with the following Recommendation:

Moved by: John McKean Seconded by: John McGee

THAT Council does receive Planning Staff Report #PL.07.110, “Short Term Accommodation Meetings” for information purposes, Carried.

7. Renewable Energy Update - #PL.07.111

Director of Planning Peter Tollefsen then reviewed the Report, Councillor Gamble questioning if the proposed RFP would include a Public Meeting, Peter replying the proposal would include a public open house.

Peter noted the estimated cost was approximately \$50,000.00.

The Committee then dealt with the following Recommendation:

Moved by: Ellen Anderson Seconded by: John McKean

THAT Council does receive Planning Staff Report #PL.07.111, “Renewable Energy Update”, for information purposes, Carried.

8. Planning Chairman's Nine Month Update

Chair Martin then reviewed his Planning Chair's nine month report, noting it was important for Council to consider the vision and views of The Blue Mountains Official Plan in considering planning and development applications, versus personal views or opinions, as the Official Plan was the approved community document.

Mayor Anderson then thanked Chair Martin for his review.

9. Planning Committee of the Whole to Rise

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

THAT the Planning Committee of the Whole do now rise, Carried.

D. Planning Council – Motions and By-laws

1. Call to Order – Planning Council

Mayor Anderson then called the Planning Council meeting to order and Council heard the Planning Committee of the Whole Chair report on matters considered and recommended in Committee.

Council then dealt with the following Resolution:

Moved by: John McKean Seconded by: John McGee

THAT Council adopt and support the following Recommendations and Motions considered and passed by Committee of the Whole:

- C.2, C.3 (rev), C.4 (rev), C.5, C.6 and C.7,

Carried.

2. Cameron McCron Zoning By-law Amendment

Council then dealt with the following Resolutions:

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

THAT By-law No. 2007-84, being a By-law to rezone the subject lands, being Part Lot 13, Plan 355, from the Institutional (I) to the Village Residential (VR) zone, and allowing the minimum rear yard setback to be 4.3 metres and the minimum interior side yard setback to be 1.5 metres, be hereby passed this 17th day of September, 2007, Carried

3. Bruce and Emily Burgetz Deeming By-law

Moved by: John McKean Seconded by: Michael Martin

THAT By-law No. 2007-85, being a By-law to deem Lots 26 and 27 of Registered Plan 151 not to be part of a Registered Plan of Subdivision for the purposes of Subsection 50(3) of the Planning Act, Chapter P.13, RSO 1990

and amendments thereto, be hereby passed this 17th day of September, 2007, Carried.

E. Reports and Minutes List – RECEIVE

None

F. New and Unfinished Business

None

G. Next Meeting Date(s)

October 1, 2007

H. Confirmation By-law and Adjournment

Moved by: Michael Martin Seconded by: Cameron Kennedy

THAT By-law No. 2007-86, being a By-law to confirm proceedings of the Council of the Corporation of the Town of The Blue Mountains on September 17, 2007, be hereby enacted as passed this 17th day of September, 2007, Carried.

Moved by: Michael Martin Seconded by: Cameron Kennedy

THAT this Planning Council meeting does now adjourn, Carried.

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Ellen Anderson, Mayor

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Stephen Keast, Clerk