



Minutes

The Blue Mountains, Committee of the Whole Meeting

Meeting Date: October 2, 2017
Meeting Time: 2:30 p.m.
Location: Town Hall, Council Chambers
Prepared by: Corrina Giles, Town Clerk

A. Call to Order

Mayor McKean called the meeting to order with all members in attendance save Councillor Seguin absent due to approved leave of absence and Councillor Halos due to a previous commitment.

Also in attendance were Acting Chief Administrative Officer and Director of Community Services Shawn Everitt, Director of Planning and Development Services Michael Benner, Director of Infrastructure & Public Works Reg Russwurm, Director of Finance and IT Services Ruth Prince, Manager of Human Resources Jennifer Moreau, Director of Enforcement Services & Fire Chief Rob Collins, Planner II Denise Whaley, Senior Policy Planner Shawn Postma, Communications and Economic Development Coordinator Elizabeth Cornish, and Interim Library CEO Cindy Weir.

Committee then paused for a Moment of Reflection

▪ **Approval of Agenda**

Moved by: R. J. Gamble Seconded by: Michael Martin

THAT the Agenda of October 2, 2017 be approved as circulated, including any items added to the Agenda, Carried.

▪ **Declaration of Pecuniary Interest and general nature thereof**

Mayor McKean spoke declaring a pecuniary interest regarding the draft Committee of the Whole minutes of September 11, 2017 and a family member's place of employment.

▪ **Previous Minutes**

Moved by: John McGee Seconded by: Michael Martin

THAT the Committee of the Whole minutes of September 11, 2017, be adopted as circulated, including any revisions to be made, Carried.

▪ **Adoption of Consent Agenda**

With the adoption of the Consent Agenda, all Recommendations found within the staff reports at Agenda items B.3, B.7 and B.11 as listed:

- **B.3.1 Monthly Financial Report – August 2017, FAF.17.108**
- **B.3.2 Rural Economic Development (RED) Funding Application for Thornbury Visitation Study, FAF.17.117**
- **B.3.3 2017 Compensation Review Consultant Update, FAF.17.115**

B.3.2 Rural Economic Development (RED) Funding Application for Thornbury Visitation Study, FAF.17.117

THAT Council receive Staff Report FAF.17.117 'Rural Economic Development (RED) Funding Application for Thornbury Visitation Study', for information, Carried.

B.3.3 2017 Compensation Review Consultant Update, FAF.17.115

THAT Council receive the Staff Report FAF.17.115 "2017 Compensation Review Consultant Update" for information purposes, Carried.

B.4 Correspondence, if any

None

**Community Services and Infrastructure & Public Works Reports
To be chaired by Mayor McKean**

B.5 Deputations, if any

**B.5.1 Fred Dobbs, Manager of Stewardship Services,
Nottawasaga Valley Conservation Authority ("NVCA")
Re: Black Ash Creek Restoration Program**

Fred Dobbs, Manager of Stewardship Services, spoke noting that The Blue Mountains is one of 18 member municipalities within the NVCA catchment area. Fred noted that the NVCA works with the Nottawasaga Watershed Improvement Program as well.

Fred noted that the NVCA is undertaking a natural creek channel restoration on Black Ask Creek by removing Petun Dam. Fred noted that the fish passage will be improved by removing on-stream barriers to migration, and that streamside vegetation will be enhanced through community tree planting. Fred noted that the NVCA will monitor fish communities, water quality and water temperature, and will engage streamside landowners in stewardship projects.

Fred identified the location of the Petun Dam on Black Ask Creek, noting that the Earthen Dam has been breached. Fred noted that GSS Engineering Consultants ("GSS") provided an evaluation of the Petun Dam on Black Ash Creek for the NVCA and through this evaluation, GSS recommends the removal of the remaining dam structure and restoration of the natural channel if sufficient funding can be accessed.

Fred then spoke regarding the sources of funding for this project, including Bruce Power and Environment Canada.

Deputy Mayor Ardiel spoke noting that this project is worthwhile and that this project will revitalize the stream and help the fish habitat.

Moved by: Gail Ardiel

Seconded by: John McGee

THAT Council of the Town of The Blue Mountains, in partnership with the Nottawasaga Valley Conservation Authority, provides \$10,000 for the Black Ash Creek Restoration Project to continue the project beyond 2018, Carried.

B.6 Staff Reports

B.6.1 Acceptance of Gift from Charles and Ella Garrad, CSPW.17.099

Moved by: Gail Ardiel

Seconded by: John McGee

THAT Council receive Staff Report CSPW.17.099 entitled “Acceptance of Gift from Charles and Ella Garrad”;

AND THAT Council, on behalf of the Town and its past, present and future residents, greatly accept the offering of a wool turtle blanket from Charles and Ella Garrad which Charles Garrad received from the Wyandotte Nation of Oklahoma;

AND THAT Council authorizes the Blue Mountains Public Library to take care and custody of the wool turtle blanket to ensure the proper preservation, storage and display of the donation, Carried.

B.6.2 Support of Great Lakes Waterfront Trail, CSPW.17.100

Moved by: R. J. Gamble

Seconded by: John McGee

THAT Council receive Staff Report CSPW.17.100 entitled “Support of Great Lakes Waterfront Trail”;

AND THAT Council direct Staff to advise the Waterfront Regeneration Trust that it wishes to participate in the extension of the Great Lakes Waterfront Trail through the Town of The Blue Mountains;

AND THAT Council support Grey County proposal to act as the "one-window" for the payment of annual dues to the Trust;

AND THAT Council direct Staff to advise the Waterfront Regeneration Trust that, in partnership with Grey County, the Town will supply hardware and labour for the installation of the required Great Lakes Waterfront Trail signage on roads which are under the Town's jurisdiction, Carried.

B.7 Community Services and Infrastructure & Public Works Reports “Information Reports” and correspondence to be considered in the adoption of the Consent Agenda:

B.7.1 Emergency Purchase – Repair of Wet Well Pump at Lake Shore Sewage Lift Station, CSPW.17.092

THAT Council receive Staff Report CSPW.17.092 entitled, “Emergency Purchase – Repair of Wet Well Pump at Lake Shore Sewage Lift Station” for their information, Carried.

B.8 Correspondence, if any

None

Planning & Development Services Reports To be chaired by Deputy Mayor Gail Ardiel

B.9 Deputations, 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 Consent for Lot Addition and Zoning Amendment, B10-2017, East Part of Lot 16, Concession 9 (McLaren-Weir)

Mayor McKean read the Notice of Public Meeting, Applications for Consent for Lot Addition and Zoning Amendment, Property Location: East Part of Lot 16, Concession 9.

Mayor McKean noted the applicants are proposing to sever a portion of the farm property to add to the adjacent residential building lot. The Consent application proposes to sever a 0.585 hectare parcel of land with 10 metres frontage on Grey Road 119 to add to the vacant residential lot. If this application is approved, the residential parcel would then be 1.585 hectares and the farm parcel would be 37.9 hectares. A sketch of the proposal is on the back of this notice.

Mayor McKean noted the purpose of the Zoning Amendment application is to ensure the newly enlarged residential lot is all within the same zoning category and to allow greater permissions for proposed accessory buildings on the residential lot. An exception zone is proposed that would allow accessory uses to be a maximum of 2 metres high, to be located in a front yard, and to be constructed prior to a main use. The Hazard Zone may also change on the property, subject to recommendations by the Grey Sauble Conservation Authority.

Mayor McKean noted the legal description of both properties is East Part of Lot 16, Concession 9 (formerly the Township of Collingwood).

Mayor McKean noted the public meeting is your chance to hear more about the proposal and make your views about it known. You may also speak at the meeting or submit written comments. Information from the public will help Council in their decision-making process, so make sure to have your say!

Mayor McKean noted any person or agency may attend the Public Meeting and/or make verbal or written comments either in support or in opposition to the proposed amendment.

Mayor McKean noted a decision on this proposal has NOT been made at this point and will not be made at the Public Meeting.

Mayor McKean noted after reviewing the application and any comments received, Town staff will bring a recommendation on this project to a future council meeting.

Mayor McKean noted if you wish to be notified of the decision of the Council of the Town of The Blue Mountains in respect of the proposed consent, you must make a written request to Town of The Blue Mountains at the address provided above.

Mayor McKean noted if a person or public body that files an appeal of a decision of Town of The Blue Mountains in respect of the proposed consent does not make written submissions to Town of The Blue Mountains before it gives or refuses to give a provisional consent, the Ontario Municipal Board may dismiss the appeal.

Mayor McKean 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, and 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 Clerk noted 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, Grey Sauble Conservation Authority, Ministry of Municipal Affairs and Housing, Historic Saugeen Metis (HSM) Lands, Resources and Consultation Department, B. Paterson and Anna Paterson, Karen and Doug Gordon, Mary and Jason Hindle.

Planner Denise Whaley spoke noting that the application was revised to simplify the surrounding accessory uses, further noting that the parcels will not change, just how they will be developed. Denise noted that the application is to sever a portion of land and to rezone the lands. Denise confirmed there is no house on the land at this time, further noting that a barn was on the land previously. Denise noted that the Weir property is currently farmed, and that the applicant is seeking to enlarge his residential lot. Denise noted that they are proposing to modify the revisions to the hazard boundary on the property. Denise confirmed that planning has not completed a review of the documents at this time, further noting that a staff report will be brought forward to a future Committee of the Whole meeting with a recommendation.

Gordon Russell, Planning Consultant for the applicants, spoke on behalf of Mr. and Mrs. McLaren and Mr. and Mrs. Weir. Mr. Russell noted that the application is for a lot addition to a residential lot. Mr. Russell noted that the building lot has a driveway, further noting that this lot was severed from the farm property years ago. Mr. Russell noted that a spill occurred on the lands in 2005, and that the septic tank, well and driveshed remained on the site, but were removed recently, with the well building remaining. Mr. Russell noted that the original driveway to the residential lot will be closed and the farm entrance will be upgraded with permission through the County of Grey.

Mr. Russell noted that 5 metres will be dedicated to the County to ensure the road width is consistent along the road frontage.

Mr. Russell noted that the livestock building was cleaned up and that a concrete pad remains, further noting that the concrete pad is of no use to the farm property. Mr. Russell noted that a soils report was completed and that the lands to be severed are not for agricultural use.

Mr. Russell noted that he has communicated with Grey Sauble Conservation Authority. Mr. Russell noted that it is appropriate for the lot to be squared off, further noting that half of the lot will be designated hazard lands, and to add a portion rezoned agriculture with an exception and the remaining portion will be rezoned from rural residential agriculture exception for accessory building alongside the house.

Mr. Russell noted that Mr. McLaren would like to start building in April 2018, and identified the proposed layout of the house, pool, deck and septic area and field. Mr. Russell noted that the land to be severed is not used for pasture or field operations. Mr. Russell noted that the current residential entrance will be decommissioned, a 5 metre road widening will be provided to the County, the farm entrance will be upgraded, the old septic system and tank will be removed and the new buildings will not be constructed where the original buildings were located.

Councillor Martin questioned reference to the County's request for a daylight triangle, Mr. Russell responding the location is at the corner in Ravenna. Mayor McKean spoke noting there are no trees at this intersection and questioned this request as well. Denise spoke in response noting that this is a standard request from the County, further noting that Town staff will consider all comments.

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

C.1.2 Public Meeting: Application for Consent and Zoning Amendment for two new lot creations, B11-2017 and B12-2017, Block 37, Plan 16M-24 (Solcorp – Peaks Ridge)

Mayor McKean read Notice of Public Meeting, Applications for Consent and Zoning By-law Amendment, Property Location: Block 37, Plan 16M24.

Mayor McKean noted Solcorp (Peaks Ridge) has submitted two applications for consent to create three residential lots (two new parcels and one retained parcel). The three residential lots propose the future construction of a new single detached residential dwelling on each. Block 37 Plan 16M-24 originally anticipated the construction of eight (8) multi-attached (townhouse) units.

Mayor McKean noted the purpose and effect of the Zoning By-law Amendment is to rezone the lands from the Multiple Residential R6-166-h zone to the Residential R3 zone. An exception to the R3 zone is also requested for Lot 1 to consider a new minimum lot frontage of 10 metres, and revised setbacks to establish a suitable building envelope due to the 'L' shape configuration of the lot.

Mayor McKean noted the public meeting is your chance to hear more about the proposal and make your views about it known. You may also speak at the meeting or submit written comments. Information from the public will help Council in their decision-making process, so make sure to have your say!

Mayor McKean noted any person or agency may attend the Public Meeting and/or make verbal or written comments either in support or in opposition to the proposed amendment.

Mayor McKean noted a decision on this proposal has NOT been made at this point and will not be made at the Public Meeting.

Mayor McKean noted after reviewing the application and any comments received, Town staff will bring a recommendation on this project to a future council meeting.

Mayor McKean noted if you wish to be notified of the decision of the Council of the Town of The Blue Mountains in respect of the proposed consent, you must make a written request to Town of The Blue Mountains at the address provided above.

Mayor McKean noted if a person or public body that files an appeal of a decision of Town of The Blue Mountains in respect of the proposed consent does not make written submissions to Town of The Blue Mountains before it gives or refuses to give a provisional consent, the Ontario Municipal Board may dismiss the appeal.

The Clerk noted 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, Grey Sauble Conservation Authority, Hydro One, Brian McGorman, Lyn Townsend, Allison and Adam Kulakowsky, and Ron and Lesley Wilson.

Senior Policy Planner Shawn Postma reviewed the application noting that Solcorp is the applicant. Shawn noted that the proposal is to develop three lots. Shawn confirmed that the comments received will be included in a future staff report. Shawn identified the location of the property and noted that the lands are flat and include a fire pit, gazebo and a manicured grass area. Shawn noted that the lots are being built on in this area, and that the subject lands are designated as Residential Recreation Area in the Official Plan and that this permits a wide range of housing types and accessory uses.

Shawn noted that the zoning by-law amendment is to rezone the lands from R6 to Residential R3 zone with an exception to consider a new minimum lot frontage of 10 metres for Lot 1. Shawn noted that the surrounding lots are zoned R3.

Shawn noted that comments received include concern regarding the property being used as a private park, and that lease and co-tenancy agreements have been referenced. Shawn noted that the concerns also include loss of greenspace, density, co-tenancy agreements, unassumed road, existing hazard setbacks. Shawn noted that comments also include support for single

detached lots versus townhouse uses. Shawn noted that Grey Sauble Conservation Authority will review setback requirements. Shawn noted that Planning Staff will obtain a legal opinion to determine if the lands can be developed.

David Slade, of D.C. Slade Consultants, spoke noting he will look into whether this is a public park, and if this is an obligation the original developer made. Mr. Slade noted that he attended a pre-consultation meeting with Town Staff on May 19, 2017 and that at that time he was given support to proceed with a three-lot proposal. Mr. Slade noted that he reviewed the sewer, water and stormwater management with Crozier, further noting that there is a servicing easement in place that connects the development to the north of Georgian Bay Club. Mr. Slade noted that he is proposing that the easement remain in place, further noting that this is the reason for the configuration of Lot 1. Mr. Slade noted that the development is successful, and that all lots are now sold. Mr. Slade noted that Solcorp is now looking to develop these parcels, with large single lots proposed. Mr. Slade noted that the rezoning is required because the property was laid out through the OMB, noting that 8 multi-units were proposed for the property. Mr. Slade noted that the lots would front on a public road. Mr. Slade noted that he recently became aware of reference to a private park, and that he will determine what obligations Solcorp and the Town have in this regard.

Deputy Mayor Ardiel questioned who placed the firepit and gazebo on the property, Mr. Slade responding that this was placed by the original developer who has gone bankrupt.

Councillor Martin spoke questioning if the easement is for water and sewer and if it is operational, Mr. Slade responding that yes the easement is for water and sewer and that five laterals are in place to service the back part of the property.

Ron Wilson, resident at 127 George McRae Road spoke noting that he submitted two letters to the Town in response to the Public Meeting Notice. Mr. Wilson reviewed the development agreement, and his lease and co-tenancy agreement. Mr. Wilson noted that the corporate knowledge of this development has been lost, referencing what was intended to be built, noting that this property was planned to be a neighbourhood park. Mr. Wilson noted that the lease and co-tenancy agreements would exist until the other phases of the development were built, noting that this was to be a staging feature. Mr. Wilson noted that he is aware of at least six co-tenancy agreements that are in place.

Councillor McGee spoke questioning if staff will collect all documentation and obtain a legal opinion on the matter, Shawn spoke in response noting that yes, all documentation will be collected, a legal opinion obtained, and that a staff report will come back to Council on the matter.

Mayor McKean asked that staff contact all owners to ensure the Town has copies of all co-tenancy agreements.

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, 111 Interlaken Court, Lot 51 (M. Cairns)

Mayor McKean read Notice of Public Meeting, Application for Zoning Amendment, Property Location: 111 Interlaken Court, Lot 51 Plan 16M-46.

Mayor McKean noted the purpose of this amendment is to permit the construction of an un-enclosed private tennis court on Lot 51. The tennis court will be used by the owners and guests of Lot 52 where a new home is presently under construction. The effect of this amendment is to permit the construction of a tennis court prior to the main dwelling on Lot 51.

Mayor McKean noted the public meeting is your chance to hear more about the proposal and make your views about it known. You may also speak at the meeting or submit written comments. Information from the public will help Council in their decision-making process, so make sure to have your say!

Mayor McKean noted any person or agency may attend the Public Meeting and/or make verbal or written comments either in support or in opposition to the proposed amendment.

Mayor McKean noted a decision on this proposal has NOT been made at this point and will not be made at the Public Meeting.

Mayor McKean noted after reviewing the application and any comments received, Town staff will bring a recommendation on this project to a future council meeting.

Mayor McKean noted you must make a request in writing if you wish to receive a notice of any decision of Council on this proposal.

Mayor McKean 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.

Mayor McKean 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 Clerk noted 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, Grey Sauble Conservation Authority and The Blue Mountains Infrastructure and Public Works Department.

Planner Shawn Postma spoke noting that this application is for a zoning by-law amendment to permit a tennis court to be built on an adjacent lot before a house is constructed on the lot. Shawn noted that the purpose of this public meeting is to receive comments on the proposed application. Shawn noted that this property is in Georgian Woodlands Phase 4, and that new homes are being built. Shawn noted that the Official Plan designates the lands as Residential Recreation and that accessory uses are permitted, but that the house must be built before an accessory use. Shawn noted that Lot 51 can accommodate a tennis court and a future dwelling.

Gord Russell, planner for the Applicant, spoke noting that Mr. Cairns owns lots 50, 51 and 52, further noting that Mr. Cairns will live at Lot 52 and that he purchased Lots 50 and 51 for his sons. Mr. Russell noted that the proposal is to establish a tennis court on Lot 51 as there is no space on Lot 52 to place a tennis court as Lot 52 is subject to tree preservation. Mr. Russell noted that Lot 51 can accommodate a north/south tennis court orientation. Mr. Russell noted that Lot 51 will have landscaping around the tennis court and will be maintained as a future building lot. Mr. Russell noted that an agreement could be entered into that Lot 51 would never be conveyed to anyone else, and if so, that the tennis court would be removed. Mr. Russell noted that the tree preservation does not apply to Lot 51.

Councillor Martin questioned if there was consideration to enter into a temporary use by-law, Shawn replying that this could have been an option, further noting that temporary use by-laws are for three year periods, then renewed annually.

Councillor McGee questioned when a house would be built on Lot 51, Mr. Cairns spoke noting that this is unknown right now, further noting that the lots will remain in the family, and that the tennis court is for use by the residents of Lot 52. Mr. Cairns noted that the intent is to create a family enclave on Lots 50, 51 and 52.

Councillor McGee questioned who owns the lots. Mr. Cairns replying that the lots are all in one name. Shawn Postma noted that the lots are part of a subdivision so will not merge.

Deputy Mayor Ardiel spoke questioning if there is a house and garage on Lot 52, Mr. Russell replying that yes, a building permit has been issued and that the house is 75% complete.

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

C.2 Deputation

None

D. New and Unfinished Business

D.1 Notice of Motion (Council)

None

D.2 Additions to the Agenda

None

E. Notice of Meeting Dates

Council Meeting, October 16, 2017, Town Hall, Council Chambers

Committee of the Whole Meeting, October 23, 2017
Town Hall, Council Chambers

F. Adjournment

Moved by: Michael Martin Seconded by: Gail Ardiel

THAT this Committee of the Whole does now adjourn at 6:32 p.m. to meet again on October 23, 2017, Town Hall, Council Chambers, or at the call of the Chair, Carried.

John McKean, Mayor

Corrina Giles, Town Clerk