



Minutes

The Blue Mountains, Committee of the Whole Meeting

Meeting Date: October 3, 2016
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 R.J. Gamble due to a previous commitment.

Also in attendance were Acting CAO/Director of Community Services Shawn Everitt, Director of Infrastructure & Public Works Reg Russwurm, Director of Planning and Development Services Michael Benner, Manager of Water & Wastewater Services John Caswell, Communications & Economic Development Coordinator Elizabeth Cornish, Deputy Treasurer/Manager of Accounting & Budgets Sam Dinsmore, Manager of Roads & Drainage Jim McCannell, Manager of Human Resources Jenn Moreau, Senior Policy Planner Shawn Postma, and Planner 1 Denise Whaley.

- Committee then paused for a Moment of Reflection

- **Approval of Agenda**

Moved by: Michael Martin Seconded by: John McGee

THAT the Agenda of October 3, 2016 be approved as circulated, including any items added to the Agenda, Carried.

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

Mayor John McKean declared a pecuniary interest regarding Agenda Item B.10.1 of the August 22, 2016 Committee of the Whole minutes and September 12, 2016 Committee of the Whole minutes.

Mayor McKean vacated the Council Chambers and Deputy Mayor Gail Ardiel chaired this portion of the meeting.

- **Previous Minutes**

Moved by: John McGee Seconded by: Michael Martin

THAT the Committee of the Whole minutes of August 22, 2016, September 12, 2016 and Special Committee of the Whole September 14, 2016 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 2016, FAF.16.89**
- **B.7.1 October 2016 Construction Status Report, CSPW.16.077**

are then approved or received by the Committee of the Whole, as noted. The Consent Agenda content is available to the public when the Agenda is finalized but is not subject to discussion from the floor at this time, however, representations may be made at subsequent meetings on matters of interest.

Moved by: Michael Martin Seconded by: John McGee

THAT the Consent Agenda of October 3, 2016 be adopted as circulated, less any items requested for separate review and discussion, Carried.

B. Staff Reports, Deputations, Correspondence

Finance, Administration and Fire Reports

To be chaired by Councillor John McGee

B.1 Deputations, if any

None

B.2 Staff Reports

B.2.1 Ontario Community Infrastructure Fund, FAF.16.77

Moved by: John McKean Seconded by: Joe Halos

THAT Council receive Staff Report FAF.16.77, entitled “Ontario Community Infrastructure Fund”; and

THAT Council direct Staff to apply for funding under the Ontario Community Infrastructure Fund (OCIF) - Top-Up Grant for the Bridge No. 17-Black Bridge Rehabilitation Project, Carried.

B.3 Finance, Administration and Fire “Information Reports” and correspondence to be considered in the adoption of the Consent Agenda

B.3.1 Monthly Financial Report – August 2016, FAF.16.89

THAT Council receive Staff Report FAF.16.89, entitled “Monthly Financial Report – August 2016” for information purposes, Carried.

B.4 Correspondence, if any

None

**Community Services and Infrastructure & Public Works Reports
To be chaired by Councillor Michael Martin**

B.5 Deputations, if any

None

B.6 Staff Reports

B.6.1 Contract Extension for Sidewalk and Parking Lot Winter Maintenance, Snowplowing, Sanding and Salting, 2012-3-T-EPW, CSPW.16.118

Moved by: John McGee Seconded by: John McKean

THAT Council receive Report CSPW.16.118 "Contract Extension for Sidewalk and Parking Lot Winter Maintenance, Snowplowing, Sanding and Salting, 2012-3-T-EPW";

AND THAT Council extend the 2016 / 2017 Contract for sidewalk and parking lot winter maintenance to 2348291 Ontario Inc. o/a Sheridan Management in the annual estimated amount of \$137,142.37 plus applicable taxes per year for a one (1) year period;

AND THAT the Mayor and the Clerk be authorized to execute the Contract Documents with 2348291 Ontario Inc. o/a Sheridan Management, Carried.

B.6.2 Additional Funds for Trestle Bridge Rehabilitation Project, CSPW.16.134

Moved by: John McGee Seconded by: Gail Ardiel

THAT Council receive Staff Report CSPW.16.134 entitled "Additional Funds for Trestle Bridge Rehabilitation Project";

AND THAT Council approve a project increase of \$6,480 for additional works to be completed as outlined in the attached report provided by Associated Engineering, 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 October 2016 Construction Status Report, CSPW.16.027

THAT Council receive Staff Report CSPW.16.027 entitled "October 2016 Construction Status Report" 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

B.10 Staff Reports

B.10.1 Margaret McGillis, Accessible Parking Space – 21 Bruce Street North, PDS.16.101

Moved by: Michael Martin Seconded by: Joe Halos

THAT Council receive Staff Report PDS.16.101, entitled “Margaret McGillis, Accessible Parking Space – 21 Bruce Street North”; and

THAT Council authorize an amendment to Bylaw 2004-116, being a bylaw requiring owners and operators of public parking facilities to provide parking for accessible persons, to facilitate the designation of an accessible parking space at 21 Bruce Street North during normal business hours only, Carried.

B.10.2 Niagara Escarpment Plan Review, PDS.16.120

Moved by: Michael Martin Seconded by: Gail Ardiel

THAT Council receive Staff Report PDS.16.120 “Niagara Escarpment Plan Review”; and

THAT Council support the following motion:

WHEREAS the province has put forward proposed changes to the Niagara Escarpment Plan (NEP) as part of the overall Coordinated Land Use Plan Review, including proposed changes to the designations as well as proposed additions to the Niagara Escarpment Plan Area;

AND WHEREAS the consultation process to date has not provided enough information for municipalities and landowners to comment on the proposed changes and to fully understand the potential impacts that could result from the proposed changes;

AND WHEREAS the proposed changes and the proposed expansion to the Niagara Escarpment Plan will have a negative economic impact to municipalities;

AND WHEREAS municipalities are important partners in the implementation of land use planning and provincial policies;

AND WHEREAS municipalities already have official plans and zoning by-laws that are consistent with the Provincial Policy Statement which will ensure that the lands proposed to be added to the Niagara Escarpment Plan will be developed in an appropriate and sustainable manner;

NOW THEREFORE BE IT RESOLVED THAT the Town of The Blue Mountains does not support the proposed changes or expansion to the Niagara Escarpment Plan until a collaborative consultation process has been completed, including more detailed mapping being provided to allow municipalities and landowners to better understand the proposed changes;

AND THAT the Town of The Blue Mountains requests an extension to the comment deadline of October 31, 2016 until such time as a collaborative consultation process has been completed;

AND THAT the Town of The Blue Mountains is willing to work with the province and the Niagara Escarpment Commission on developing a more collaborative consultation process whereby municipalities are considered partners in the process;

AND THAT this motion be forwarded to the province and the Niagara Escarpment Commission as the Town of The Blue Mountains initial comments regarding the proposed changes and the proposed expansion to the Niagara Escarpment Plan, Carried.

B.10.3 Sign By-law, PDS.16.123

Moved by: Michael Martin Seconded by: Joe Halos

THAT Council receive Staff Report PDS.16.123, entitled "Sign By-law";

THAT Council refer Draft Sign By-law back to the Sign By-law Committee for further consideration and further report back to Council, Carried.

B.10.4 Windfall GP. Inc. Ontario Municipal Board, PDS.16.124

Moved by: John McGee Seconded by: Joe Halos

THAT Council receive Staff Report PDS.16.124 "Windfall GP Inc. Ontario Municipal Board Update", Carried.

B.10.5 Blue View Chateaux Inc. Ontario Municipal Board Update, PDS.16.125

Moved by: John McKean Seconded by: Joe Halos

THAT Council receive Staff Report PDS.16.125 "Blue View Chateaux Inc. Ontario Municipal Board Update";

AND THAT Council determines that the application is without merit and refuses the application;

AND THAT Council refuse this application now and permit the applicant to appeal such refusal to the OMB to be joined with the zoning appeal, Carried.

B.10.6 Eden Oak (Trailshead) Inc. Ontario Municipal Board Update, PDS.16.126

Moved by: Michael Martin Seconded by: Joe Halos

THAT Council receive Staff Report PDS.16.126 "Eden Oak (Trailshead) Inc. Ontario Municipal Board Update"; and

THAT Council authorize staff to work with Solicitor Leo Longo on the matter, Carried.

B.11 Planning & Development Services Information Reports and correspondence to be considered in the adoption of the Consent Agenda:

None

B.12 Correspondence, if any

None

C. 5:00 PM Public Meetings / Deputations

Mayor John 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 (a) Public Meeting: Application for Zoning Amendment & Redline Revision to the Draft Plan of Subdivision - (Skyline Blue Mountain Development Inc. - Second Nature)

C.1.1 (b) Public Meeting: Application for Consent for two Lot Additions (Exchange of Lands) - (Skyline Blue Mountain Development Inc. - Second Nature)

Mayor John McKean read the notice of Applications for Zoning Amendment and Redline Revision to the Draft Plan of Subdivision.

John noted the property is located at #796203 Grey Road 19 and vacant lands at Concession 1, Part Lot 17 & 18. John noted the owner of the property are Skyline Blue Mountain Development Inc. (Second Nature).

John noted what is being proposed is to change the lot layout and increase the number of lots from 35 to 37 for proposed subdivision project known as "Second Nature" (Grey County Subdivision File 42T-94004). The application includes a request to rezone portions of the proposed subdivision lands, as well as the rear of the property at 796203 Grey Rd 19. The rezoning application would change the permitted use of the lands from open space to a residential use, and to ensure all the lands are zoned appropriately to permit a revision of the draft plan of subdivision for this project. Note that the changes are proposed for only the westerly portion of the lands.

John noted this proposal also includes applications for Consent for lot additions File# B05-2016, B06-2016 (land exchange).

John noted the Legal descriptions of the properties are: Concession 1, Part Lots 17 and 18, RP 16R5057 Part 5, 16R7246 Part 3 16R7299 Part 17; and Concession 1 Part Lot 17 RP16R5057, Part 9.

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.

Mayor John McKean then read the notice of Applications for Consent for two Lot Additions (Exchange of Lands).

John noted the property is located at #796203 Grey Road 19 and vacant lands at Concession 1, Part Lot 17 & 18. John noted the owner of the property are Skyline Blue Mountain Development Inc. (Second Nature).

John noted what is being proposed is to sever two parcels of land in a "land exchange" through two applications for lot addition. The first application file# B05-2016, involves severing a 974 square metre parcel of land with 8.58 m of frontage on Grey Rd. 19, from the property at Concession 1 Part Lot 17, which is the proposed subdivision lands for the project known as "Second Nature", and add to the adjacent lot at 796203 Grey Rd 19.

John noted the second application B06-2016 involves severing a 974 square metre parcel with no road frontage, from the property known as 796203 Grey Rd 19 (rear yard area), to add to the lands at Concession 1 Part Lot 17 which is part of the Second Nature subdivision proposal.

John further noted this proposal also involves a Zoning By-law Amendment Application with the Town of The Blue Mountains and a Redline Revision to Grey County Subdivision File 42T-94004.

The Clerk spoke noting that notice of the Public Meetings was given in accordance with the Planning Act, and that in response comments were received from Grey County Planning and Development, Historic Saugeen Metis, Bell Canada, Grey Sauble Conservation Authority.

Krystin Rennie, Planning Consultant with Georgian Planning Solutions, spoke noting that the developer proposes to change the layout of the development from 35 to 37 lots, includes a rezoning of the proposed subdivision lands, and a land exchange.

Krystin noted that the County Official Plan designates the lands as Recreational Resort Area, the Blue Mountains Official Plan designates it as Primary Residential and the Township of Collingwood Zoning By-law designates it as Residential and Open Space. Krystin noted that the intent is to add to the lot to the north, and take a portion of the private lot and add to the subdivision lands. Krystin confirmed that a zoning by-law amendment is required.

Councillor Halos questioned the open space area being removed from the development and questioned if the Town will be gaining open space elsewhere. Krystin spoke in response noting that there is no Homeowner Association with this development and that the Town does not want to maintain small pieces of open space through the municipality. Krystin noted that she is in discussions with Town staff about compensation to the Town in lieu of open space.

Councillor McGee spoke questioning if this application is being considered under the old official plan or the new official plan. Michael Benner, Director of Planning and Development Services, spoke noting this application is being considered under the new official plan, further noting that the applicable provisions are similar in each plan. Councillor McGee questioned if there are time limits as to when changes can occur, Michael Benner spoke in response noting that the developer has draft plan approval now and are working on satisfying the conditions.

Planner Shawn Postma spoke noting staff generally have no objections to the application, further noting that staff will review the public and agency comments and will report back. Shawn noted that the development was last updated ten years ago and includes Plateau East and Second Nature. Shawn noted that Block 170 and 169 were identified as Open Space, and Block 169 was to be the entrance to the development and transferred to the residents association which would then maintain the blocks. Shawn confirmed that the developer does not want a Resident's Association.

Shawn noted that Block 170 provides a trail to the tunnel around the development into the Village, further noting that we want to maintain this linkage. Shawn then noted there are some grading challenges with the linkage. Shawn noted that Block 169 at Jozo Weider will connect to the Windfall Development, further noting that multiple trail users can use the Jozo Weider extension. Shawn noted that Windfall developed a trail from County Road 21 to Jozo Weider, and that staff want to continue the trail connection to Second Nature along Grey Road 19. Shawn noted that Council may consider the trail dedication, 6 metre block for offroad trail connection along the County Road frontage.

Shawn noted that all comments received will be considered and that a further staff report will be provided to Council for consideration.

Councillor Seguin questioned if there is a tunnel in this location now, Shawn replying yes, there is a tunnel there now.

Councillor Seguin spoke questioning if the proposed development will be single family dwellings or condominiums, Shawn spoke in response noting that the development will be freehold lots on a municipal street.

Michelle Doornbosch, of Zelinka and Priamo Consultants, spoke noting she is providing her personal comments in response to the public meeting notices, further noting that she owns property at 796225 Grey Road 19, adjacent to the amenity block. Michelle noted that she purchased the property 2.5 years ago, and that the long term intent is to redevelop the property in the future. Michelle noted that she had discussions with Skyline when she purchased the lot, further noting that she knew about the Block 170 walkway. Michelle noted that the proposed plan is to locate the walkway between the residential lots, further noting that she is requesting that the walkway be located north of her property and run along the lot line along the golf course to access the tunnel. Michelle then noted that her lot depth is 40' shallower than the other lots, and questioned if a piece of land could be added to her property from Lot 5. Michelle noted that the County has requested 27 metres from the centre line of the road, and that her property is 40 metres deep, making the building envelope very small.

Glenn Sandham, property owner at 796215 Grey Road 19, spoke noting he lives next to Jim Swanzey. Glenn noted that the lots along Grey Road 19 are being isolated from the subdivision, and questioned if they could have access off the back of his lot to the tunnel. Glenn Sandham noted that all three residential lots on Grey Road 19 have the same concerns, further noting that he speaks on behalf of Leonard Sandham of 796223 Grey Road 19 as well.

Gary Steedman, property owner at 796217 Grey Road 19, spoke noting he has not been informed of the proposals or changes to the trail system. Gary expressed concern that the homes on Grey Road 19 are being blocked from the trail systems, further noting that the trail should be behind their properties so that they can access the trails. Gary noted that the developer has not communicated with the existing homeowners, further noting that he would like to be kept informed of any changes with the subdivision. Gary noted that he would like to be incorporated into the subdivision to allow the existing homes to have access into the subdivision rather than onto Grey Road 19, further noting that Grey Road 19 is very busy.

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

C.1.2 Public Meeting: Application for Consent to Create New Lots (Land Severances) – (Tyrolean Properties Inc.)

Mayor John McKean read the notice of Applications for Consent to Create New Lots (Land Severances).

John noted the property is located at Concession 2 Part Lot 19 (lands on Pilsen Way and Arlberg Crescent). John noted the owner of the property is Tyrolean Properties Inc.

John noted what is being proposed is to divide the property into five lots. This proposal was previously given approval in 2010, but the approvals lapsed before the lots were registered. The applications seek to create the following lots:

- File B03-2016 - sever a 833m² parcel with 22.9m of frontage on Pilsen Way
- File B04-2016 - sever a 1051m² parcel with 22.9m of frontage on Pilsen Way
- File B09-2016 - sever a 1184m² parcel, with 18.3m of frontage on Arlberg Cres.
- File B10-2016 - sever a 1185m² parcel, with 17.7m of frontage on Arlberg Cres.

John noted the retained lands would then be 1178 m² with 17.7m of frontage on Arlberg Cres. The lands are intended to be serviced by full municipal water and sewer services and have frontage on an opened and maintained municipal roads.

John further 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 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 Sauble Conservation Authority, Grey County Planning and Development and Historic Saugeen Metis.

Planner Denise Whaley spoke noting this Public Meeting is for a re-application to create four new lots, further noting that all other conditions have been met. Denise noted that the rezoning has already been completed, so the lots can be registered. Denise noted that public input is being sought at this time. Denise noted that Arlberg Crescent is to be constructed before the two lots on Arlberg can have access, further noting that those lots have the 'h' symbol until the road is built. Denise noted that staff will provide a report back to Council at a future Council Meeting compiling all comments received.

Councillor Seguin spoke questioning if the number of lots included in this application require subdivision approval. Denise spoke in response noting no.

Councillor Seguin spoke questioning if Arlberg Crescent will be improved just to the end of the lot, or if the improvement will go all the way through, Director of Planning and Development Services Michael Benner spoke noting that staff are reviewing the extension of Arlberg East to Kandahar.

Blanka Guyatt, area resident, spoke questioning what will be built on Pilsen Way, Andrew Pascuzzo of D.C. Slade spoke noting the applicant intends to develop five short term accommodation units in this location.

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

Committee of the Whole Meeting, October 24, 2016
Town Hall, Council Chambers

Council Meeting, October 17, 2016, 7:00 pm
Town Hall, Council Chambers

F. Adjournment

Moved by: Michael Martin

Seconded by: John McGee

THAT this Committee of the Whole does now adjourn at 5:51 p.m. to meet again October 24, 2016, Town Hall, Council Chambers, or at the call of the Chair, Carried.

John McKean, Mayor

Corrina Giles, Town Clerk