

## Minutes - Public Meetings (Council Adjourned)



**MEETING DATE:** November 3, 2008 – 7:00 pm

**LOCATION:** L. E. Shore Memorial Library

**PREPARED BY:** Stephen Keast, Clerk

### A. Call to Order

#### **B.1 ZONING BY-LAW AMENDMENT, Lot 35, Plan 824, 149 Kandahar Lane – Andrew Catapano/Lidia Larosa**

- Mayor Anderson then called the scheduled Public Meeting to order with all members in attendance.
- Ellen then noted the purpose of the Public Meeting is to satisfy a condition of consent application B4-2007 which separated an existing horizontally attached dwelling on one lot into a semi-detached dwelling over two separate lots.
- Ellen further noted the effect of this By-law is to rezone the subject lands from the Residential 'R5-43' zone to the Residential 'R4' zone
- Ellen further noted the subject lands of this By-law are owned by Lidia Larosa and Andrew Catapano and are legally described as Plan 824, Lot 35, with a civic address of 149 Kandahar Lane, Town of The Blue Mountains
- Ellen further noted if a person or public body that files an appeal of a decision of the Council of the Town of The Blue Mountains in respect of the proposed consent does not make written submissions to the Council of the 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 then noted Notice was given in accordance with the Planning Act and read correspondence as received from the Niagara Escarpment Commission
- Mayor Anderson then asked if anyone wished to speak to the proposed By-law.
- Planner Shawn Postma then reviewed the Application noting the By-law was to address a condition of Consent, adding the Public Meeting was to receive input and no decision would be made this evening.
- Councillor Kennedy then questioned if there was any discussion regarding an interior firewall, Shawn noting that would be addressed at consideration of change of use permit.
- Deputy Mayor McKinlay then questioned if development charges would apply, Shawn replying no, as no additional units are being created.
- As no one further wished to speak, Mayor Anderson declared the Public Meeting to be adjourned.

#### **B.2 CONSENT / ZONING BY-LAW AMENDMENT / OFFICIAL PLAN AMENDMENT, Part Block A and Part Lot 57, Plan 733 – Slopeside Development**

- Mayor Anderson then called the second scheduled Public Meeting to order with all members in attendance
- Ellen then noted the purpose of the Public meeting is to consider a request by the Applicant to sever a new 2152 square metre vacant residential parcel while retaining a 1735 square metre residential parcel containing an existing dwelling. Ellen further noted the consent application has been submitted as part of an Official Plan Amendment, Zoning By-law Amendment and Consent Applications B08-2008, B09-2008 and B10-2008.
- Ellen further noted the subject lands are owned by Slopeside Developments Inc. and are legally described as Part Block A and Part Lot 57, Plan 733, severed parcel having a frontage of 40.6 metres and an area of 2152 square metres, the retained parcel having a frontage of 34.0 metres and an area of 1735 square metres, having access on a private road, comprised of an easement extending from Ann Heggveit Drive
- Ellen then noted the Public Meeting would also consider the Application for Consent B09-2008 of Applicant, DC Slade Consultants Inc. further noting the purpose of this consent is to consider a request to sever a new 1122 square metre vacant residential parcel, while retaining a 1029 square metre vacant residential parcel. Ellen further noted the consent application has been submitted as part of an Official Plan Amendment, Zoning By-law Amendment and Consent Applications B08-2008, B09-2008 and B10-2008
- Ellen then noted the Public Meeting would also consider the Application for Consent B10-2008 of Applicant, DC Slade Consultants Inc. further noting the purpose of this consent is to consider a request to create a 4 metre by 20 metre easement for access purposes. Ellen noted the consent application has been submitted as part of an Official Plan Amendment, Zoning By-law Amendment and Consent Applications B08-2008, B09-2008 and B10-2008.
- Ellen then noted the purpose of this Public Meeting is to satisfy a request by Slopeside Development Inc. to amend the Town of The Blue Mountains Official Plan and the Township of Collingwood Zoning By-Law No. 83-40. In addition to these amendments, three applications for Consent have also been submitted in order to permit the creation of two new residential lots with frontage and access over an existing private right of way.
- Ellen noted the effect of the Official Plan Amendment is to re-designate the subject lands from the Blue Mountain Resort Commercial 'BMRC' designation to the Low Density Residential 'LDR' designation and to permit development on lands which do not have direct frontage and access on to a municipal street.
- Ellen noted the effect of the Zoning By-law Amendment is to first, re-zone a portion of the subject lands from the Village Core Resort Commercial 'C7' Zone to the Residential 'R3' Zone, and second, to recognize the two proposed residential lots as not having the required frontage and direct access to an improved public street.
- Ellen noted the lands affected by these applications are owned by Slopeside Developments Inc.; and are legally described as Part Block A and Part Lot 57, Plan 733, Town of The Blue Mountains
- Ellen further noted if a person or public body that files an appeal of a decision of the Council of the Town of The Blue Mountains in respect of the proposed consent does not make written submissions to the Council of the 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 then noted Notice was given in accordance with the Planning Act and read correspondence as received from area residents Marlene and Heinz Hauswirth, Janice and Ian Thompson, Linda and Tom Servinis and Regina and Georges Foliot, the Niagara Escarpment Commission, the Grey Sauble Conservation Authority and the Grey County Planning Department.
- Mayor Anderson then asked if anyone wished to speak to the proposed Consents and Amendments
- Planner Shawn Postma then reviewed the Applications, noting Town Staff have concerns with the property fronting on a private access road, an existing easement over lands owned by Blue Mountain Resort. Shawn noted concern further included winter maintenance, emergency access and refuse collection.
- Shawn further noted Blue Mountain Resorts have requested an extension to provide comments on the proposed Applications, on lands located adjacent to the Blue Mountain Inn.
- Shawn noted all Staff and agency concerns will be reviewed for consideration in a Report at a subsequent meeting.
- Planning Consultant Andrew Pascuzzo then spoke on behalf of owner David Knechtel.
- Andrew then noted he believed all issues and concerns could be addressed.
- Andrew then reviewed the subject lands, noting a single residence is now found on the lands, Andrew further noted full services are available to the subject lands.
- Andrew then noted he believed the Application represented good planning, further reviewing development options for the site including a ski lodge and multi-attached units, versus the three proposed residential lots.
- Andrew noted the adjacent residence was rezoned for a Bed and Breakfast use a few years ago.
- Andrew then noted there is access by easement, garbage and recycling are available, mail service is to the door and the access road is marked as a Fire Route.
- Andrew then noted the easement Application was proposed to contain access and municipal services for the two proposed severed lots.
- Andrew then noted the former public road known as Anne Heggsviet Drive was stopped up and closed in 1990 and sold to Blue Mountain Resorts with access easements following.
- Andrew then concluded that the proposal represents a down designation, infilling and compatibility with surrounding land uses.
- Deputy Mayor McKinlay then questioned if existing lots fronted on the private road in the parking area, Andrew noting the parking area lots had been merged.
- Duncan then noted Council required rationale to approve Consents on a private road, further questioning where municipal services were located and did the Town have a servicing easement.
- Planning Consultant Dave Slade then noted municipal sewer extended from the Blue Mountain Inn to the lands with water service running along Anne Heggsviet Drive.
- Duncan then questioned why a condominium road was not considered, David noting the proponent did not own the easement lands.

- Councillor Gamble then noted concern with access issues and the northerly lot appeared to be constrained in terms of a building envelope, Andrew noting a 100 square metre footprint is available.
- Duncan then noted adjacent landowners noted concern with potential rental units, David noting an agreement could be entered into similar to other subdivision agreements.
- Michael Pathet, son of an adjacent resident to the east, then spoke noting concern with loss of views had and fallout?? \_\_\_ on property values should the proposed development proceed.
- Applicant David Knechtel then spoke noting four adjacent residents noted support for the two new lots which he believed would minimize impact on the neighbourhood.
- As no one further wished to speak, Mayor Anderson declared the public meeting to be adjourned.

**B.3 CONSENT / ZONING BY-LAW AMENDMENT, Lot 30, Concession 8, Hwy.26 – Heather Nicholson, Elspeth Kelley, Bonnie Haggis**

- Mayor Anderson then declared a potential conflict with the final scheduled Public Meetings due to a family relationship and Deputy Mayor McKinlay then assumed the Chair for the Public Meeting and Mayor Anderson vacated the Table and did take part in related discussion.
- Duncan then noted the purpose of the Public Meeting was to consider Consent Application B14/08 which would sever a 1,239 square metre vacant residential parcel on the western portion of the property; and deed it as a lot addition to the existing 1,987 square metre residential parcel to the west, containing an existing dwelling. A 1,239 square metre residential parcel would be retained, containing an existing dwelling and detached garage.
- Duncan further noted the subject lands are owned by Heather Nicholson, Elspeth Kelley and Bonnie Haggis and are legally described as North Portion of Highway Part Lot 30, Concession 8, the severed parcel having a frontage of 60 metres and area of 1,239 square metres, the retained parcel having a frontage of 60 metres and area of 1,239 square metres, the parcels having access on Highway 26 via a driveway easement through the Grey Sauble Conservation Authority's Peasmarsh Nature Preserve to Highway 26.
- The Clerk then noted Notice was given in accordance with the Planning Act and read correspondence as received from Ministry of Transportation, Grey County Planning and Grey Sauble Conservation Authority.
- Deputy Mayor McKinlay then asked if anyone would like to speak to the proposed Consent..
- Planner Shawn Postma then reviewed the Application, noting no new lot would be created and there is existing access over Conservation Authority lands
- Duncan then questioned the MTO's concern with access points, Shawn noting the easterly access will remain as the legal access point, a second access to the west to be removed.
- As no one further wished to speak, Deputy Mayor McKinlay declared the public meeting to be adjourned.