

Minutes - Special Planning Meeting of Council



MEETING DATE: November 2, 2005
LOCATION: The Blue Mountains Council Chamber
PREPARED BY: Stephen Keast, Clerk

A. Call to Order

- Mayor Anderson called the meeting to order with all members in attendance save Councillor Martin, absent due to a previous commitment.
- Declaration of Pecuniary Interest
No member declared a pecuniary interest with any matter as listed on the Agenda.
- Councillor Fairweather then assumed the Chair in a Committee of the Whole format.

B. Correspondence

Wayman then noted the purpose of the meeting was to consider Official Plan Amendment No. 4 to the Official Plan.

Council then reviewed correspondence from William Dolan, Planner on behalf of the Georgian Sands Development Corporation.

Director of Planning Peter Tollefsen then gave a brief review of the development of OPA No. 4 to date. Peter then noted Council had received copies of all items of correspondence received to date and as well a chart summarizing comments, concerns and Staff responses had been prepared and circulated to Council.

Peter then reviewed the Draft OPA No. 4 and changes made since the Public Meeting of June 23, 2005.

Councillor Fairweather then questioned proposed lot density on top of the escarpment in the Scenic Caves area, Peter noting approximately 6 lots were proposed on the Valian property, subject to required studies.

Peter then clarified the re-designation of former Deferred Development DD lands to various development designations, some with exceptions providing limited forms of development at this time.

Peter noted Grey County indicated they would review OPA No. 4 if it was adopted, but it could not be approved until comprehensive Environmental Assessments were completed with regard to servicing in the area.

Peter then noted with regard to the Georgian Sands lands, it was proposed to schedule a site specific Public Meeting to consider a request to convert their lands from Residential and Institutional designation to full Residential.

Peter further noted that while this meeting was not a Public Meeting as contemplated by The Planning Act, stakeholders were made aware of the Agenda and the status of OPA No. 4.

Peter then distributed correspondence from Mark Oelbaum, noting concern with proposed unit yields for his property.

Peter then stated that Town Planning Staff were recommending adoption of OPA No. 4 at this time by Council.

C. Deputations

7:05 pm – Marion Plaunt, NEC

Next, as Senior Strategic Advisor Marion Plaunt of the Niagara Escarpment Commission was in attendance, it was Council's pleasure to hear her regarding OPA No. 4.

Marion then requested Council consider deferral of OPA No. 4 at this time, citing recent revisions to OPA No. 4. Marion noted some previous concerns of the NEC have been addressed to date and stated further revisions must still be reviewed.

Marion then stated core issues of interest to the NEC remain essentially the same as in the past and matters such as slope definition should be determined by the NEC rather than the Town, adding a great deal of progress had been made to date with other Official Plan issues.

Marion then read excerpts from the Niagara Escarpment Development and Planning Act stating the NE Plan prevails where conflicts with local Official Plans exist.

Marion suggested several options to obtain compliance with OPA No. 4 and the NE Plan, including adoption of the NE Plan where applicable, appeal to the Ontario Municipal Board or amend the NE Plan.

Marion noted the NEC does not permit development on the prominent face of the escarpment slope, deferred as from the brow to the toe of the slope, with outstanding issues being development potential proposed for the Swiss Meadows area and Tabera lands.

Marion further noted the NE Act permits a municipality to submit a proposal that would demonstrate how compliance with the NE Plan would occur, subject to the Minister's decision.

Councillor Fairweather then questioned if there could be a resolution of the Swiss Meadows and Tabera conflicts as determined by the NEC, Marion noting the Town Plan would have to be revised.

Councillor Martin then attended the meeting.

Wayman then questioned existing residential development on the Tabera lands above the defined 230 meter contour toe of slope area, Marion replying that particular situation was a compromise at the time with regard to a pending OMB Hearing and is not supported by Staff at this time.

Wayman then noted concerns with a previous NEC approval of development on the toe of the escarpment that would now not be permitted, Marion noting results of previous mediation could not be used as grounds in future deliberations.

Marion noted she represented the NEC position that no development would be permitted above the 230 meter contour line so as to maintain a continuous escarpment feature.

Marion further noted the NEC had appealed all of Section 4.6 of the Town Official plan addressing escarpment slope boundaries.

Marion continued 18 additional estate lots were proposed in OPA No. 4 on top of the escarpment in the Scenic Caves and Swiss Meadows area representing development below the actual brow of the escarpment slope, representing a conflict with the NE Plan, as well as the Provincial Policy Statement in terms of proposing private servicing.

Councillor Fairweather then noted Swiss Meadows should be considered a Settlement Area as having existed for many years, adding a few additional lots would have minimal impact, Marion noting development on the area between the toe and brow of the escarpment is not permitted in the NE Plan.

Marion continued the NEC did not support any lot creation on the Valian lands nor a proposed 6,000 square metre ski lodge on the top of the escarpment slope, although the NEC would support a 60 square metre building and parking lot.

Councillor Fairweather then questioned why the NEC would not support a ski lodge at the top of the escarpment in support of the local ski and tourism industry.

Marion continued that permitting private servicing on top of the escarpment might pose an environmental concern over time and would generate a demand for municipal servicing which would in turn result in further development in an area in which it is not permitted.

Deputy Mayor McKinlay then questioned if the NEC did not support a public park on the Valian lands, representing an icon lookout area in the municipality, Marion noting the NEC supported the proposed public park but did not support lot creation in exchange for a public park.

Marion then again requested that OPA No. 4 be deferred at this time pending further review, Councillor Fairweather questioning how much time would be appropriate, Marion proposing a further 1 to 1.5 days review and discussion.

Peter Tollefsen then reviewed past Open Houses, Public Meetings and comments received and time spent to date in review and negotiation and again recommended Council adopt OPA No. 4 at this time with continuing opportunity to address outstanding issues and matters while the Amendment was before Grey County pending final approval.

Mayor Anderson then noted further negotiation at the Staff level may not yield any movement and thanked Marion for her participation, Deputy Mayor McKinlay noting in many instances, review and discussion of issues continued following Council approval of such matters.

Wayman then thanked Marion for her presentation and she retired from the meeting.

Next, as Planning Consultant David Slade was in attendance on behalf of various clients, Council heard him in support of proceeding with OPA No. 4.

Dave noted a great deal of mediation had occurred before the OMB to date on various, related files following appeal of the parent Official Plan.

Dave then stated the NE Plan referred to no development on what was defined as “prominent” escarpment slopes but not necessarily all escarpment slopes. Dave then noted the EA process was an important component of OPA No. 4 and hopefully development of a servicing strategy would be completely shortly.

Councillor Ardiel then spoke in support of OPA No. 4 with further negotiation possible once the Amendment was before Grey County for final approval.

Dave then thanked Council and retired from the meeting.

Councillor Fairweather then asked if anyone else wished to speak to Council on a salient point not covered to date, noting this was not a Public Meeting as contemplated by the Planning Act.

Michael Larkin of Castle Glen Development Corporation then spoke, noting he had some concerns as previously submitted in correspondence.

D. Motions and Staff Reports

Mayor Anderson then assumed the Chair and Council then dealt with the following Resolutions:

1. PL.05.96 – Official Plan Amendment No. 4

Resolution No. 1

Moved by: Wayman Fairweather Seconded by: R. J. Gamble

THAT this Council does hereby receive and adopt Planning Staff Report PL.05.96, “Official Plan Amendment No. 4 – Craigleith / Swiss Meadows”, dated November 2, 2005, and further does support the Recommendation contained therein, being that Council does enact a By-law to adopt Official Plan Amendment No. 4 to the Official Plan, Carried.

2. By-law

Resolution No. 2

Moved by: R. J. Gamble Seconded by: Wayman Fairweather

THAT By-law No. 2005-86, being a By-law to adopt Official Plan Amendment No. 4 to the Official Plan, Craigleith / Swiss Meadows, be hereby enacted this second day of November, 2005, Carried.

E. New and Unfinished Business

None

F. Adjournment

Moved by: D. R. McKinlay Seconded by: Michael Martin

THAT this Council does now adjourn, Carried.

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Ellen Anderson, Mayor

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Stephen Keast, Clerk