

## Minutes - Public Meetings (Council Adjourned)



**MEETING DATE:** December 1, 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 – Lots 39 & 40, Plan 931 – Trevor Muntwyler

- Mayor Anderson then called the first scheduled Public Meeting to order with all members in attendance save Councillor Kennedy, absent due to a previous commitment.
- Ellen then noted the purpose of the Public Meeting is to satisfy a request by the Owner to establish a new building envelope for the property by re-establishing the limits of the Hazard zone. Recent site works to the property have been completed through a Grey Sauble Conservation Authority permit intending to increase the developable area on the property.
- Ellen further the effect of this By-Law is to establish a new building envelope in order to accommodate a proposed new single detached dwelling with a proposed ground floor area of 205 square metres. The proposed envelope will include the lands required for the new home, and for the required septic system.
- Ellen noted the subject lands of this By-law are owned by Trevor and Monica Muntwyler and are legally described as Lots 39 and 40, Plan 931, with a civic address of 183 Lake Drive, 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 Grey County Planning & Development Department, Niagara Escarpment Commission, and Grey Sauble Conservation Authority
- Mayor Anderson then asked if anyone wished to speak to the proposed By-law.
- Planner Shawn Postma then reviewed the proposed By-law, noting the intent was to adjust the Hazard boundaries following engineered fill being placed by Grey Sauble Conservation Authority Permit.
- Shawn further noted the building envelope was established on the property at the time of lot creation.
- Shawn then noted it is not usual practice to recommend an Application be considered by Council on the same night as the Public Meeting but the owner has requested early consideration, noting a statutory 20 day appeal period would apply if Council made a decision.

- Councillor Gamble then questioned the front yard setbacks of 7.5 metres and questioned where vehicles would be parked.
- Councillor Kennedy then attended the meeting.
- Shawn then clarified a dwelling would not take up the entire building envelope, adding the envelope siting was consistent with zoning regulations.
- Applicant Trevor Muntwyler then spoke, recounting history of the application, noting the urgency of the issue was immediate delivery of a pre-ordered log structure with a non-returnable deposit.
- Councillor McGee then questioned if the new envelope covered the buildings well and septic system, Shawn replying yes, John believing this was usually separate.
- Shawn then noted the previous building envelope considered only a dwelling.
- John then questioned if there was any hazard area left on the lot, Shawn replying the hazard area had been removed.
- As no one further wished to speak, Mayor Anderson declared the Public Meeting to be adjourned.

**B.2 Zoning By-law Amendment - Elgin St N Thornbury Town Plot**  
Part Lots 15 to 19; Part McCauley Street - #1136965 Ontario Ltd.  
(D.Carinci)

- Mayor Anderson then called the second scheduled Public Meeting to order and explained the purpose of this By-law is to rezone a parcel of land for future commercial and institutional uses. The lands are designated Commercial COM-10 within the Town of The Blue Mountains Official Plan. Exception 10 states that "In addition to the policies of Community Commercial designation, a concept plan shall be prepared and submitted for approval by the municipality prior to any development on these lands. The concept plan shall include all of the lands, with an integration of the uses and parking areas in order to minimize the impacts on surrounding areas, as well as provide an aesthetic streetscape along the Highway 26.
- Ellen noted the effect of the By-law is to rezone the subject lands from the General Industrial M1 zone to the General Commercial C2-h zone. The General Commercial C2 zone permits a range of commercial uses including retail stores, business and professional offices, service shops and restaurants and Institutional uses.
- Ellen further noted the purpose of the '-h' Holding symbol is to implement the requirement for an overall concept plan in accordance with the Official Plan.
- Ellen noted the subject lands are legally described as Elgin Street. N. Thornbury, Town Plot Part Lots 15 to 19; Part McCauley Street; Parts 2 and 4, RP 16R-8184; 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 Grey County Planning & Development Department
- Mayor Anderson then asked Planner Shawn Postma if anyone wished to speak to the proposed By-law.
- Planner Shawn Postma then reviewed the Application and recounted the history of the Application. Shawn noted a Concept Plan for the entire property had been earlier approved for Council.
- Shawn further noted it is not usual practice to recommend an Application be considered by Council on the same night as the Public Meeting but it was desirable to move the project forward at this time.
- As no one further wished to speak, Mayor Anderson declared the Public Meeting to be adjourned.

**B.3 Zoning By-law Amendment - West Part Lot 22 and Part Lots 23 & 24, Concession 3 – Georgian Woodlands Phase 3 (George Fleming)**

- Mayor Anderson then called the third scheduled Public Meeting to order and explained the purpose of the Public Meeting is to obtain input on a proposed development under a Plan of Subdivision for a total of 249 residential dwelling units. The proposal would be comprised of 100 single detached units above the Nipissing Ridge north of Sleepy Hollow Road; and 149 multiple attached dwelling units below the Nipissing Ridge and south of the Georgian Trail. Official Plan Amendment No. 4 to the Town of The Blue Mountains Official Plan, which was finally, approved in 2007 designed the lands as Recreational Residential RR-50 and Hazard H. Exception 50 also established a number of conditions to development to address the Growth and Settlement criteria of the Official Plan. This includes the need to address matters of servicing (roads, water and sewer upgrades) and provision of recreational amenities.
- Ellen noted in addition to the Plan of Subdivision, a Zoning By-Law Amendment is proposed to rezone the lands from the Limited Rural (A2) and Hazard (H) to the Residential (R3) for the single detached lots and the Residential R6 zone for the proposed multiple attached units. A maximum unit yield will be included under the By-law for the multi-attached units and the holding –h symbol is also proposed under Section 36 of the Planning Act.
- Ellen noted the lands affected by these applications are owned by Condo Developments Limited and George Fleming; and are legally described as West Part Lot 22 and Part Lots 23 & 24, Concession 3. A portion of these lands are locally described as 219 Sleepy Hollow Road, just south of Highway 26 and to the east of Arrowhead Road.
- Ellen noted the applications have been referred to the Ontario Municipal Board and prior to Council taking a position on this matter, they wish to obtain public comments on this proposed development. This public meeting is not a statutory Public Meeting in accordance with the Planning Act and therefore the notice provisions and other related regulatory requirements applicable to these applications (ie. requirement to make written or oral representation at the Public Meeting) do not apply. Any body or individual who wishes to participate in the approval process will need to contact the Ontario Municipal Board and quote files PL03216 and PL030036.

- The Clerk then noted the Public Meeting was non-statutory but notice was given in a similar manner and read correspondence from area resident Keith Latimer.
- Mayor Anderson then asked if anyone wished to speak to the proposed Applications.
- Director of Planning Peter Tollefsen then noted the intent of the Public Meeting was to obtain public input on the proposed development and no decision would be made by Council this evening, a Planning Report to be considered by Council at a subsequent meeting.
- Peter then noted development of the subject lands had been appealed to the Ontario Municipal Board by the Applicant.
- Peter noted Council earlier approved Official Plan Amendment No. 4, establishing land use designations for the area, noting Exception 50 required submission of a draft plan of subdivision prior to any consideration.
- Planning Consultant David Slade then spoke on behalf of the Applicant, noting it was intended to introduce the public to the proposed development and hopefully arrive at Minutes of Settlement to be considered by the OMB.
- David noted the proposed development is the third phase of the Georgian Woodlands development, Phase 1 beginning in the 1960's and Phase 2 developed in two parts in 1988 and 1998.
- David then noted proponent George Fleming submitted an Official Plan Amendment Application in 2002 which was referred to the OMB, a plan of subdivision referred in 2005.
- David then noted the lands were designated in Official Plan Amendment No. 4 and the proposed Plan and Zoning were now being considered.
- David then reviewed the draft plan of subdivision, single detached units above the Nipissing Ridge and multi-attached units below.
- David then recounted previous mediation with various agencies, noting the total development proposes 249 units with 40% open space and an overall density of 4.3 units per hectare.
- David then reviewed site servicing with upper and lower stormwater management facilities and road intersections aligning with Alpine and Craigleith Ski Club access points.
- David then noted the development is proposed in three phases, the final phase being the multi-unit lower lands, itself likely phased in various parts.
- David then noted the Zoning was proposed as a combination of R3 and R6 with a holding symbol, together with a progressive zone ability that would allow varying development.
- Mayor Anderson then asked if anyone wished to speak to the proposed development.
- Area resident Keith Latimer then spoke, noting issues of concern. Firstly, the proposed intersection of Street "A" and Sleepy Hollow Road would

create a four way intersection which would increase the currently high number of vehicle accidents with all roads in the area featuring significant slopes.

- Mr. Latimer noted other factors such as traffic volume, winter weather, sightlines, speed and difficulty stopping contribute at present and proposed that Street "A" not intersect with Sleepy Hollow Road at a dangerous curve.
- Mr Latimer then questioned impact of the proposed development on wildlife with deer at present prevalent in the area and trail and run habitat should be considered.
- Mr. Latimer then questioned if the Hazard designation had been revised, David noting the Hazard designation has been retained and the developer has been working with the GSCA and Niagara Escarpment Commission, the Hazard Zone actually exceeding the designation.
- Mr. Latimer then noted the southeastern Hazard area stopped abruptly at the southern lots.
- Area resident Joseph Regan then noted there were numerous streams on the lands flowing to the Bay and questioned if studies had been completed and if they were available, David noting the streams had been considered in the stormwater management plan and peak flows will not exceed present flows.
- Mr. Regan then questioned proposals for the lower multi-block area development, David noting there are no plans at present for the lower lands, 149 units permitted together with the 100 lots on the upper lands.
- Mr. Regan then questioned access points for the lower lands, David noting Old Lakeshore Road in the east and Arrowhead Road in the west.
- As no-one further wished to speak, Mayor Anderson declared the Public Meeting to be adjourned.