

Minutes - Planning & Building Committee



MEETING DATE: December 7, 2009

LOCATION: L.E. Shore Memorial Library

PREPARED BY: Corrina Giles, Deputy Clerk

A. Call to Order

- Chair Martin called the Committee meeting to order with designated Committee members Councillor McGee and Councillor Kennedy in attendance. Deputy Mayor McKinlay was absent due to a previous commitment. Also in attendance was Councillor Gamble.
- Also in attendance was Chief Administrative Office Paul Graham, Director of Planning and Building David Finbow, Senior Planner Cindy Welsh, Planner Bryan Pearce, Director of Engineering and Public Works Reg Russwurm and Planner Shawn Postma, Director of Special Projects Peter Tollefsen

Chair Martin spoke noting a correction to the Agenda, noting the location of the meeting should have been noted as L.E. Shore Memorial Library rather than The Blue Mountains Library.

- Approval of Agenda:

Moved by: Cameron Kennedy Seconded by: John McGee

THAT the Agenda of December 7, 2009 be approved as circulated including any additions or revisions to be made, unanimously Carried.

- Councillor Gamble spoke asking that 177 Bruce Street, Thornbury be added to the agenda under E. New and Unfinished Business for discussion.
- No member declared a pecuniary interest with any matter as listed on the Agenda.
- Previous Minutes

Moved by: John McGee Seconded by: R.J. Gamble

THAT the Minutes of November 2, 2009 be approved as circulated including any revisions to be made, unanimously Carried.

B. Public Meetings - 7:00 p.m.

B.1 Consent B24-2009 – Part Lot 23, Concession 10 - John (Jack) & Naomi Vail

Chair Martin read the Notice of Application of John (Jack) and Naomi Vail noting the purpose of this consent is to consider a request to sever an existing 41 hectare agricultural parcel into two equal 20.5 hectare farm units. Michael noted the legal description of the property is Part Lot 23, Concession 10, further noting that both the severed and retained parcels would each have a frontage of 305.22 metres and an area 20.5 hectares

each, both having access on an open and maintained and Municipal Road.

Michael 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 wish to dismiss the appeal.

The Deputy Clerk then read correspondence received from Grey Sauble Conservation Authority, Grey County Health Unit and Grey County Planning.

Director of Planning and Building David Finbow spoke noting Planner Shawn Postma can answer any questions the Committee may have regarding the Consent.

Applicant Jack Vail spoke noting he is the Applicant and noted the purpose of the Application is for estate planning.

As no one wished to speak, Chair Martin declared the Public Meeting to be closed.

B.2 Consent B23-2009 & Zoning By-law Amendment – Part Lots 42, 43 & 44, Plan 932 – 183 Lake Drive - John Miszuk Enterprises Limited

Chair Martin read the Notice noting the purpose of the consent is to consider a request to sever a 648 square metre vacant residential parcel on the eastern portion of the property; while retaining a 1,133 square metre residential parcel, containing an existing dwelling and detached shed.

Michael noted the legal description of the property is Part Lots 42, 43 and 44, Plan 931, Part 1, RP 16R-4182.

Michael noted the severed parcel has a frontage of 19.00 metres and an area of 648 square metres. Michael noted the retained parcel has a frontage of 31.00 metres and an area of 1,133 square metres, both having access on an open and Maintained Municipal Road.

The Deputy Clerk then read correspondence received from Area Resident, Eleanor Branch, Grey Sauble Conservation Authority and Grey County Planning.

The owner, John Miszuk then identified himself.

Planning Consultant Krystin Rennie of Georgian Planning Solutions then spoke reviewing the Application for Consent and the Zoning By-law Application, noting the issue of the 100 year floodline has been addressed.

Councillor Gamble then spoke questioning if there is provision for a turnaround area, Krystin replying there is a turnaround area in front of the property. Director of Planning and Building David Finbow then spoke noting with the recent servicing of the Lake Drive area, a turnaround area has been created.

Councillor McGee then questioned if the retained parcel has a building on it, Krystin replying yes. John then questioned how close the building is to the new property line, Krystin replying 2 metres.

Councillor Kennedy then questioned the location of the wave up-rush, David replying the screen identifies the wave uprush and then referenced the required setbacks from the street and the wave up-rush.

As no one further wished to speak, Chair Martin declared the public meeting to be closed.

Chair Martin then read the Notice of Application & Public Meeting to Consider a Zoning By-Law Amendment noting the purpose of this By-Law is address a potential condition of Consent on Application B23-2009. The consent application proposes to sever a 648 square metre vacant residential parcel on the eastern portion of the property, while retaining a 1,133 square metre residential parcel, containing an existing dwelling and detached shed. An amendment is required to remove the existing building envelope and apply the Residential (R3) Zone site performance standards to a portion of the subject lands, while the remainder apply the Hazard (H) Zone to delineate the area associated with the wave uprush setback for the severed and retained parcels.

Michael noted that the effect of this By-law is to rezone the severed and retained parcels to the Residential (R3) Zone and Hazard (H) Zone.

Michael noted the subject lands of this By-law are owned by John Miszuk Enterprises Limited, c/o John Miszuk, and are legally described as Part Lots 42, 43 and 44, Plan 931; Part 1, RP 16R-4182; Town of The Blue Mountains. These lands are locally described as being located on the north side of Lake Drive at the western terminus of the street with a civic address of 183 Lake Drive.

Michael noted if a person or public body does not make oral submissions at a public meeting or make written submissions to the Corporation of the Town of The Blue Mountains before the by-law is passed, the person or public body is not entitled to appeal the decision of the Corporation of the Town of The Blue Mountains Council to the Ontario Municipal Board.

The Deputy Clerk noted correspondence received relating to the zoning by-law amendment is the identical to that of the Consent Application.

As no one wished to speak, Michael declared the Public Meeting Closed.

Director of Planning & Building David Finbow then spoke noting because of the recent servicing along Lake Drive, Application for Consents are now an option for landowners, further noting the cost for servicing is unknown at this time, but the costs will be identified in the new year.

Councillor Gamble then questioned if this new lot will be assigned a full development charge or a fee, David replying yes, the servicing project costs and proportionate shares for the plant, sewer and water charges.

Cameron then questioned if new lots created on Lake Drive would credit existing lots a proportionate share, David replying currently these discussions are with Finance.

C. Staff Reports as circulated

C.1 Community Improvement and Contaminated Site Official Plan Amendment No. 19 – SPS.09.07

Director of Special Projects Peter Tollefsen spoke reviewing the Report noting two workshops have been held and that the interim report and background report are currently on our website. Peter noted Staff are half way through the process.

Peter noted that Staff are asking that the Committee authorize Staff to schedule a statutory public meeting in accordance with the Planning Act for OPA No. 19.

Councillor Gamble noted he has read the document noting the document seems very long, Chair Martin concurring.

Michael then questioned if the Municipality must file its own information, Peter replying yes the site information would be required.

Director of Planning & Building David Finbow then spoke noting the Crown is bound by the Environmental Protection Agency as are we as a Town to identify contaminated sites.

Moved by: John McGee Seconded by: Cameron Kennedy

THAT Council receive the Staff Report SPS.09.07 titled “Community Improvement and Contaminated Sites – Official Plan Amendment No. 19” and;

THAT Council authorize staff to advertise and schedule a statutory public meeting in accordance with *The Planning Act* for Official Plan Amendment No 19, unanimously Carried.

C.2 Cash-in-Lieu Payments For Parking PL.09.126

Director of Planning & Building David Finbow spoke noting the Report speaks to the policy and identified the Town’s current cash-in-lieu rate and noted the Town’s parking study consultant has advised that our cash-in-lieu rate of \$1500 is not enough. David compared our cash-in-lieu rate as compared to the Town of Collingwood.

David identified the current parking areas in Thornbury and Clarksburg and the parking area on Mary Street in Clarksburg. David noted the new Comprehensive By-Law addresses parking issues and noted the payment-in-lieu is low and confirmed the Town needs to assure there will be parking in the Clarksburg and Thornbury areas in the future.

David then noted the Report is for information purposes for the Committee and further noted the Town needs an updated policy on cash-in-lieu of parking.

Chair Martin concurred with David and noted that consultation with the Thornbury BIA and Chamber of Commerce is important.

Councillor Kennedy then spoke noting he was not impressed with the parking study document.

Councillor Gamble then spoke questioning if the cash-in-lieu rate is increased if the Town may deter entrepreneurs from using small buildings for commercial uses, further noting he believes \$1500 to \$2500 cash-in-lieu per parking space is sufficient and may actually bring entrepreneurs here to Craigleith, Clarksburg and Thornbury.

Councillor McGee noted the Report speaks to percentages and questioned if there are other justification for numbers under the amount of \$1500, David replying a Business Case would have to be made with respect to an amount less than the actual cost to acquire land and develop parking. This Business Case would have to speak to the benefits to the community as a whole that could be derived from same given that any additional funding would likely flow from taxation.

Cameron then questioned if every application would be reviewed on a case by case basis, David replying yes, further noting Staff has given direction to the consultant preparing the new comprehensive zoning by-law that we need to look at not requiring additional parking where there is a change of use without incurring additional requirements. David further noted the new Community Improvement Plan will be before Council in the spring 2010 which will identify change of use that will not require additional parking uses.

Michael then spoke noting the Report is encouraging and noted policies have built in flexibility and the creation of new space could be identified.

Moved by: Cameron Kennedy Seconded by: John McGee

THAT Council receive Staff Report No. PL.09.126 respecting a Draft Cash-in-lieu of Parking Policy and authorize Town staff to proceed with consultation with stakeholders, unanimously Carried.

**C.3 Application for Temporary Use By-law – PL.09.130
Part Lot 14, Concession 4 – 595839 4th Line, Shaun and Fawn Talbot**

Chair Martin spoke noting the Report is a very thorough Report.

Planner Shawn Postma spoke reviewing the Report noting the purpose of the Report was to permit a Hummer Tour operation for a three year period.

Shawn identified the Hummer Tour procedures and noted the tour travels through a 40 acre property which is a logging road through a gravel pit area and further noted that the tour operates year round.

Shawn noted the Report identified that this use complies with the four main policies of Grey County. Shawn further noted that the Provincial Policy Statement indicates that prime agriculture land shall be protected and that the subject property is prime agriculture land.

Shawn indicated that secondary uses are agriculture type uses, i.e. home occupation and home industry, and that Hummer Tour operations are not considered permitted uses.

Shawn further noted that the Report identified comments received at the public meeting and on direction from the Province, the Report asks that the temporary use not be approved.

Councillor Gamble then referenced the subject property and noted the Hummer Tour complies with the Provincial Policy Statement and noted the trail through the property does not impact farmland for cash-cropping and questioned if the property could be used for this recreational use.

Cameron then spoke regarding economic development in the community and tourism related activities and questioned why Council would refuse this temporary use.

Councillor McGee then spoke questioning the reference to temporary use and noted Council would not be changing the use forever and questioned if there is a difference between temporary and permanent, Shawn replying there is no difference, further noting the Provincial Policy Statement has specific identified uses.

Director of Planning & Building David Finbow then spoke noting the Provincial Policy Statement ("PPS") is very clear that the entire PPS is to be taken into consideration and the use must be consistent with the PPS. David then noted there are few areas where agricultural lands can be used for other uses and noted the proponent would have to hire a consultant that would ensure the property is not classified as agriculture lands. David further noted the recommendation in the Report was not made lightly and noted Council's decision needs to be consistent with the PPS.

Michael then questioned which authority's comment on the zoning, David replying OMAFRA and MMAH have been appellants in OMB cases.

Bob then referenced the PPS and questioned if it is still in force today and where it stands regarding wind towers, David replying the Green Energy Act takes precedent over agricultural uses.

Moved by: John McGee Seconded by: Michael Martin

THAT the Planning & Building Committee receive Staff Report PL.09.130 "Application for Temporary Use By-law, Shaun and Fawn Talbot, Part Lot 14, Concession 4, 595839 – 4th Line, Town of The Blue Mountains"; and

THAT Council refuse the Temporary Use By-law that proposes to permit an off-road Hummer Tour for a maximum of three (3) years on the subject property, LOST.

Moved by: Cameron Kennedy Seconded by: R.J. Gamble

THAT the recommendation contained in Planning & Building Committee Staff Report PL.09.130 be split into two separate paragraphs, Carried.

Moved by: Cameron Kennedy Seconded by: John McGee

THAT the Planning & Building Committee receive Staff Report PL.09.130 "Application for Temporary Use By-law, Shaun and Fawn Talbot, Part Lot 14, Concession 4, 595839 – 4th Line, Town of The Blue Mountains", Carried.

Moved by: John McGee Seconded by: Michael Martin

THAT Council refuse the Temporary Use By-law that proposes to permit an off-road Hummer Tour for a maximum of three (3) years on the subject property, LOST.

**C.4 The Edgewater Development (Realty 1 Real Estate Inc.) Phase 2
PL.09.131**

Moved by: John McGee Seconded by: Cameron Kennedy

That Council confirm the process of unit by unit payment adopted with respect to Phase 2 of The Edgewater Development (Realty 1 Real Estate Inc.) for shoreline acquisition, Carried.

**C.5 Application for Consent: B13, B14, B15, B16, B17, B18-2009 and
Zoning By-law Amendment PL.09.135, Part Lot 19, Concession 2 –
Tyrolean Village Resorts Limited**

Councillor Kennedy spoke noting the Report identified on page 10 that the subject lands are short term accommodation uses noting Council has concerns with short term accommodation.

Councillor Gamble then spoke noting nowhere did the Report indicate when the soft services would be paid to the Town, Director of Planning & Building David Finbow replying that soft services would be collected when the building permit is issued. David spoke in response to the reference to short term accommodation use, and noted the Committee should recall that the public meeting addressed that short term accommodation uses would be permitted on the subject lands, and that this has been part of the public process and that no one spoke in opposition. David further noted after the Ontario Municipal Board (“OMB”) process, 7 lots will be addressed.

Councillor McGee then spoke suggesting that Council not proceed with the subject severances, that the severance should proceed by way of plan of subdivision, Planner Shawn Postma replying the County did bring this issue forward that the severance should proceed by way of a subdivision rather than by way of Consent, but after the public meeting Staff met with Grey County representatives and it was decided at that time that the subject severances would proceed by way of consent.

David then spoke noting what is secured by way of consent is the same as what is secured for a plan of subdivision, but the Town is the approval authority on consents and plans of subdivision are approved by the County.

Michael then questioned if the owner is cognisant of the OMB appeal, Consultant David Slade replying yes the owner is aware of this issue and that the whole village may go into short term accommodation uses, further noting the owner can accept that the area goes to the R3 zone and once the OMB decision has been made, the owner will proceed.

Moved by: Cameron Kennedy Seconded by: R.J. Gamble

THAT the Planning and Building Committee receive Planning Staff Report PL.09.135, “Application for Consent: B13, B14, B15, B16, B17, B18-2009 and Zoning By-law Amendment. Tyrolean Village Resorts Limited, Part of Lot 19, Concession 2, Town of The Blue Mountains”, CARRIED.

In speaking to the Motion, Councillor McGee referenced the lands being a former parking lot, David Finbow replying the block owned by LCM was a proposed hotel and it was envisioned that this would be a parking lot.

David further noted the lands have now been conveyed to another developer and parking is not required.

Moved by: John McGee Seconded by: Michael Martin

THAT Council grant Application for Consent File Numbers B13, B14, B15, B16, B17, and B18-2009 each subject to the following conditions:

1. A Zoning By-law Amendment to rezone the severed and retained lands from the Development 'D' zone to the Residential 'R3-h' zone
2. That the owner make a cash payment for the hard costs of Town Wide Development Charges for the severed parcel.
3. That the owner make a cash payment in lieu of parkland in the amount of 5% of the value of the land to be conveyed with such value to be determined as of the day before the day of the approval of the consent by an accredited appraiser (AACI, P.App., CRA) with the Appraisal Institute of Canada.
4. The execution of an Agreement with the Town that would include, but not be limited to matters related to cost sharing for the proposed works for all benefitting lots, the construction of full municipal services to the satisfaction of the Town and the dedication of a 6.0 metre wide walkway block to the Town.

THAT Council grant a Zoning By-law Amendment to rezone the subject lands from the Development 'D' zone to the Residential 'R3-h' zone.

THAT Council authorize the Mayor and Clerk to execute a Development Agreement regarding the dedication of a walkway block and cost sharing for proposed works in a form approved by the Director of Planning & Building Services and the Town Solicitor, LOST.

In speaking to the Motion, Councillor McGee noting the Committee should move into Committee of the Whole with others sitting and if we are proceeding this way, the Committee should proceed as Council did previously with a Planning Council, Councillor Kennedy replying Council has a strong opinion on this matter and that he would like Council to deal with this matter.

David Finbow then spoke noting this Report is not asking the Committee to make a decision on the issue of short term accommodation, further noting this will be addressed as a separate matter after the short term accommodation and zoning issues are addressed.

Chair Martin then spoke noting the Committee is concerned that if this Report is approved as written the subject lands will become a legal non-conforming use.

C.6 Street Naming Policy Update – PL.09.132

Director of Planning & Building David Finbow reviewed the Report and noted "Bell" should be added into the inventory of approved names.

Moved by: Cameron Kennedy Seconded by: John McGee

THAT Planning & Building Services Committee receive Staff Report PL.09.132, Street Naming Policy Update, and recommend that Council include the name of "Bell" on the street naming list under the Schedule "A" – "Names Honouring Those Who Have Served Their Country", Carried.

C.7 Street Naming Policy Request – PL.09.133

Director of Planning & Building David Finbow reviewed the Report from an emergency response perspective, noting Staff are asking the Committee to provide street names in accordance with the Street Naming Policy. David noted the street name should have local significance, further noting the street names listed are not on the approved list of street names.

Councillor Gamble then referenced the list of names and noted he does not believe the same names should be used twice.

Moved by: Cameron Kennedy Seconded by: John McGee

THAT Planning & Building Services Committee receive Staff Report PL.09.133, Street Naming Policy Request, and provide direction to Staff with respect to naming the following:

1. Lane running north from Alice Street West, west of Bruce Street South (Addendum "A");
2. Lane running north from Clark Street, west of Marsh Street (Addendum "B");
3. Street running north from Clark Street, west of County Road 2 (Addendum "C"); and,
4. Lane running south from The Blue Mountains/Grey Highlands Town Line at Kolapore (Addendum "D"), LOST.

Moved by: Cameron Kennedy Seconded by: R.J. Gamble

THAT Planning & Building Services Committee receive Staff Report PL.09.133, Street Naming Policy Request, and provide direction to Staff with respect to naming the following:

1. Lane running north from Alice Street West, west of Bruce Street South (Addendum "A");
2. Lane running north from Clark Street, west of Marsh Street (Addendum "B");
3. Street running north from Clark Street, west of County Road 2 (Addendum "C"); and,
4. Lane running south from The Blue Mountains/Grey Highlands Town Line at Kolapore (Addendum "D"), Carried.

Moved by: Michael Martin Seconded by: Cameron Kennedy

THAT the Lane running north from Alice Street West, west of Bruce Street South be named Park Lane;

AND THAT the Lane running north from Clark Street, west of Marsh Street be named Lion's Park Lane, Carried.

Moved by: Cameron Kennedy Seconded by: R.J. Gamble

THAT the Street running north from Clark Street, west of County Road 2 be named Hoffman Street;

THAT the Lane running south from The Blue Mountains/Grey Highlands Town Line at Kolapore be named Dawson Lane, Carried.

C.8 Interim Control By-law Extension – Adult Entertainment Establishments and Drive-through Facilities – PL.09.124

Moved by: John McGee Seconded by: Cameron Kennedy

THAT Council does hereby receive Planning Staff Report PL.09.124, Interim Control By-law Extension - Adult Entertainment Establishments and Drive-through Facilities; and

THAT Council enact an amendment to Interim Control By-law No. 2009-09 to extend the time in effect for an additional six (6) months, Carried.

C.9 2010 Planning & Building Committee Meeting Schedule – PL.09.127

Moved by: Cameron Kennedy Seconded by: John McGee

THAT Council receive Staff Report No. PL.09.127 and adopt the 2010 Planning & Building Committee meeting schedule as outlined in this report, Carried.

C.10 Extension of Memorandum of Understanding, Operation Safe, Strong and Clean, Grey Bruce Health Unit – PL.09.125

Moved by: Cameron Kennedy Seconded by: John McGee

THAT Council does receive Planning Staff Report #PL.09.125, “Extension of Memorandum of Understanding, Operation Safe, Strong and Clean, Grey Bruce Health Unit” for information purposes; and

THAT the Mayor and Clerk be authorized to sign the Memorandum of Understanding with the Grey Bruce Health Unit upon the Director, Planning & Building Services and Town solicitor’s recommendation to do so.

In speaking to the Motion, Councillor McGee questioned if the Town is taking over inspection services of on-site sewage systems, Director of Planning & Building David Finbow replying yes, effective January 1, 2010.

The Committee then voted on the Recommendation, Carried.

**C.11 Zoning By-law Amendment – (Temporary Use) – PL.09.100
Lot 25, Concession 7 – 516599 7th Line – David Camplin – (James Carne)**

Moved by: R.J. Gamble Seconded by: Cameron Kennedy

That Council enact a Temporary Use By-law to permit the continuation of an existing garden suite, for a maximum period of 3 years from the date of passing of this By-law, and to permit the temporary dwelling to be located closer to the street than the main building, Carried.

C.12 Short Term Accommodation – SRB.09.31

Moved by: Cameron Kennedy Seconded by: John McGee

THAT Council receive Staff Report SRB.09.31 “Short Term Accommodation” for information purposes, unanimously Carried.

C.13 Zoning By-law Review Project Update – PL.09.129

Senior Policy Planner Cindy Welsh spoke reviewing the Report and noted a new and innovative policy direction has been brought forward with an intent to implement and that issues that relate to conformity to the official plan have been identified. Cindy then identified the 14 issues as they relate to the Town's current official plan.

A. Apartments in Houses

Cindy then reviewed item A, apartments in houses, of the Report. Councillor Gamble then questioned if development charges for water and wastewater plant capacity would apply and if there would be a single or double meter for water, Director of Planning and Building David Finbow replying this is a secondary suite, and confirmed that no more than one secondary suite per house is permitted under the Planning Act. David further noted the Development Charges Act currently exempts secondary suites and further noted that water and wastewater rates have not been discussed yet and the issue of water and wastewater capacity will be worked out.

Councillor Kennedy then questioned if an 8 bedroom home could be identified as an 8 unit apartment property, Cindy replying Staff are in discussions with the consultant on issues such as this and this will be addressed in the housing study.

David then spoke in response to Cameron regarding the regulation of suites and noted a registry program may work and noted implementation needs to be worked out. David then questioned if this Committee is comfortable with secondary units, Cameron replying and expressed concern for the safety and the health of the tenant.

Chair Martin then spoke noting he is concerned with zoning in Thornbury as the R2 zone currently permits apartments in houses, David replying confirming apartments in houses are permitted in the RM1 zone not the R2 zone.

Councillor McGee then questioned if it is possible to differentiate where apartments in houses could be permitted, David replying yes we could do this and could also set requirements.

B. Setbacks from Georgian Bay

Cindy then reviewed item B, noting the 177.9 metre elevation and 15 metre setback will be used as is used in the recently approved Municipality of Meaford Zoning By-law.

David then spoke noting the provisions will identify where the 177.9 metre floodline is and then address the 15 metre setback, further noting these setbacks will be consistent with the Provincial Policy Statement and County Official Plan. David further noted the Committee has been asked to look at the existing Official Plan and noted there are rules as to where residents can build on waterfront property. Chair Martin replied that he is satisfied with these setbacks as they are using elevations. David noted the Town's consultant did work for Tiny Township and the Municipality of Meaford.

Councillor Gamble then questioned the setback on the Beaver River to Russell Street, David replying a Plan of Subdivision requires a 10 – 12 metre rear yard setback.

Councillor Kennedy then declared a pecuniary interest with regard to Report C.13 as he lives on Georgian Bay.

C. Shorefront Structures

Cindy then noted there will be a provision that proposed structures, i.e. boathouses on Nottawasaga Bay, will require a zoning by-law amendment. Chair Martin replying that this will be expensive for property owners and a obtaining a zoning by-law amendment is a long process, Director of Planning & Building David Finbow noted a zoning by-law would preclude shorefront structures.

Michael then spoke noting the fees incurred and the extra work of the Planning Department staff will use up considerable staff time. Director of Special Projects Peter Tollefsen then spoke noting boathouses are controversial as they are built on hazard land and obstruct the view of the water. Michael then addressed the issue of groynes that will be required once the boathouse is built.

Councillor McGee spoke noting according to Item B. Setbacks from Georgian Bay, that nothing can be built within 15 metres of the water line, so why not change the official plan so that nothing can be built, including boathouses. David replying the applications will be reviewed on a case by case basis and that in some cases it may be feasible. CAO Paul Graham then spoke noting we do not want to be perceived as encouraging any dredging activity. David then spoke noting currently our zoning by-law amendment precludes these uses and questioned if the Town should declare that boathouses are not permitted.

D. Parking and Change of Use

Cindy noted Staff have asked that provisions that address parking and change of use be included in the zoning by-law review project update. David spoke noting Staff may address the Community Improvement Plan in the zoning by-law review but this will be identified at a later date.

E. Required Parking Space Exemptions

Cindy asked that the Committee include provision which will allow storage facilities to be exempt from the required number of parking spaces with the exemption of the business component of the storage facility.

F. Reduced Parking Stall Dimensions

Cindy reviewed the reduced parking stall dimensions noting this is becoming more common in zoning by-laws. David noted this is looked at more in residential uses.

Councillor McGee questioned if there will be priority parking for small cars, David replying Staff are looking at this option at the new Town Hall.

G. Shared Parking Provisions

Cindy noted this was brought up in the Parking Strategy Study Report, noting parking lots could be used more effectively. David then clarified the shared parking strategy and noted it makes sense in parts of our municipality.

H. Angled Parking at Various Degrees with Various Drive Aisle Widths

David then spoke noting parking at a greater angle allows greater visibility. Bob then questioned the issue of snow storage and parking issues, David

replying he has asked the Consultant to look for precedents at other municipalities.

I. Exemptions for “Green” Elements

Cindy reviewed the “green” elements such as solar collections and grey water cisterns and make-up air tubes. Councillor McGee questioned if the Town can require green elements, David replying no. Councillor Gamble questioned where cisterns are permitted to be located, David replying some cisterns are not below grade, some are above, further noting the Town does not want to be too restrictive as the Town wants to encourage green initiatives.

J. Setback Buffers for Landfill Sites

Cindy then spoke noting setback buffers for landfill sites is derived from the Town’s Official Plan. Cindy then identified the Town’s current and abandoned landfill sites, noting we are asking the Consultant to place a holding symbol on these landfills. David then spoke noting this is a common issue in Ontario that will be solved before the zoning bylaw comes forward. David noted D-4 Studies are expensive and the Town is looking at addressing the current landfill buffering.

K. Setback Buffers for Sewage Treatment Plants Within the Official Plan

Cindy spoke to the buffering for sewage treatment plants noting the buffering is for odour.

L. Provincially Significant Wetlands and use of Holding Provision and

M. Locally Significant Wetlands and use of the Holding Provision

Cindy reviewed sections L and M noting Staff have asked the Consultant to include setbacks of 120 metres from Provincially Significant Wetlands as designated in the Official Plan. David noted the Provincially Significant Wetlands are Tyrolean, Terrasan and some areas in the rural areas.

N. Areas of Natural & Scientific Interest (ANSI) and use of the Holding Provision

Cindy then reviewed the mechanism to determine the criteria for identifying ANSI and use of the holding provision. CAO Paul Graham questioned if the Petun sites are classified as ANSI, David replying these sites are archaeological areas of interest, further noting within the zoning bylaw they are identified as “D” for development for single family dwellings.

Micheal then questioned the zoning of the Town’s existing 10 acres in the area of the Petun sites, David replying this land is zoned “D” for development.

Moved by: R.J. Gamble Seconded by: Cameron Kennedy

THAT Council does hereby receive Planning Staff Report PL.09.129, Zoning By-law Review Project Update, unanimously Carried.

C.14 Permit Statistics – Oct. & Nov. 2009 – SRB.09.32

Moved by: John McGee Seconded by: Cameron Kennedy

THAT Council receive Staff Report SRB.09.32, “Permit Statistics – October and November, 2009”, unanimously Carried.

**C.15 Application for Site Plan Approval – PL-09.128
Part Lots 20 & 21, Concessions 3 & 4 – 164 Craigleith Road -
Craigleith Ski Club**

Planner Bryan Pearce reviewed the Report and identified the location of the property and where the proposed building would be located.

Councillor McGee referenced the “temporary” use and questioned how long temporary is, Bryan replying the Report limits the Craigleith Ski Club to a ten year period. John then questioned if the Committee is approving a permanent site plan and a temporary building, David replying Staff are asking the proponent to enter into a site plan agreement that would allow the building for a five year period and would allow Craigleith to determine if there is enough interest in a pool and tennis courts.

Councillor Gamble then spoke noting he supports the project.

Moved by: Cameron Kennedy Seconded by: R.J. Gamble

THAT Council receive Planning Staff Report PL.09.128, “Application for Site Plan Approval – Craigleith Ski Club Ltd; Part Lots 20 & 21, Concessions 3 & 4; 164 Craigleith Road; Town of The Blue Mountains”;

AND THAT Council conditionally grant Site Plan Approval for the construction of a maximum of 119.59 square metre change facility, 36.00 square metre pump house, and 93.00 square metre pool with a deck area of 480.33 square metres, in accordance with the following drawings containing in this report, subject to the following condition:

1. That the owner(s) enter into a Site Plan Agreement with the Town, as shown on the attached plans, at the owner’s expense;

AND FURTHER THAT Council authorize the Mayor and Clerk to execute a Site Plan Agreement, unanimously Carried.

C.16 Delegation Policy - PL.09.134

Director of Planning & Building then reviewed the delegation policy including the Tree Preservation Agreements, Delayed Demolition Agreements, Alteration of Grade/Fill Agreements, Municipal clearances to the County and Draft Plan Approval, deleting clause 5c) of the Report and noted this consent will not be used lightly. David then noted the Committee would be advised on items of significance.

Chair Martin then referenced item 5 of the Report and questioned how many extensions are permitted, David replying this does not permit a multitude of one year extensions.

Moved by: John McGee Seconded by: R.J. Gamble

That Council receive Staff Report PL.09.134 respecting the Town’s Delegation Policy and that Council enact a by-law to amend the Town’s Delegation Policy as it relates to specific Planning & Building Services Department related matters, unanimously Carried.

D. Minutes & Reports List - Receive/Adopt

N/A

E. New and Unfinished Business

Councillor Gamble then spoke regarding the property at 177 Bruce Street, noting the Affordable Housing Committee is attempting to resolve an Affordable Housing Plan and questioned how the Town can get an entry level rental unit at this property to indicate to the public that the Town is being proactive on the affordable housing issue. Bob further questioned if the Town would rent this house as an affordable housing property for two to three years.

CAO Paul Graham then spoke noting the 2010 budget anticipates 177 Bruce Street as being rented at \$800 per month as a residential unit.

Moved by: R.J. Gamble Seconded by: Cameron Kennedy

THAT Staff will report to Council on the status of the rental of the property at 177 Bruce Street, Thornbury, Carried.

Paul then spoke noting the property is owned by the Town and Chief Executive Officer Carol Cooley is aware that the 2010 budget anticipates the property being rented. Paul further noted Staff will provide a report that will identify property that the Town could dispose of to provide proceeds to the Affordable Housing Committee to assist with their work.

F. Closed Session

N/A

G. Next Meeting Date

Planning matters to be dealt with in January will be considered at the regular Council meeting on January 11, 2010.

H. Adjournment

Moved by: Cameron Kennedy Seconded by: Michael Martin

THAT this Planning & Building Committee meeting does now adjourn at 10:23 pm, CARRIED.