

## Minutes - Planning & Building Committee



**MEETING DATE:** May 4, 2009

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

**PREPARED BY:** Corrina Giles, Deputy Clerk

### A. Call to Order

- Chair Martin called the meeting to order with all members in attendance
- Also in attendance was Councillor John McKean, and Councillor R.J. Gamble Chief Administrative Officer Paul Graham, Director of Planning and Building/ By-Law Enforcement David Finbow, Director of Special Projects Peter Tollefsen, Senior Planner Cindy Welsh, Planner Shawn Postma, and Planner Bryan Pearce.

- Approval of Agenda:

Moved by: Cameron Kennedy    Seconded by: John McGee

THAT the Agenda of May 4, 2009 be approved as circulated, including any items added to the Agenda, Carried.

- No member declared a pecuniary interest with any matter as listed on the Agenda, save
- Previous Minutes

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

THAT the Minutes of March 2, 2009 and April 6, 2009 be approved as circulated including any revisions to be made, Carried.

### B. Public Meetings/Deputations

#### B.1 Public Meeting -- Consent #B10-2009 & Zoning By-law Amendment Applications

Town Plot Part Lot 5 and Part Lot 6, Napier E/S – United Church of Canada

Chair Martin called the Public Meeting to order and explained the purpose of the Public Meeting was to consider an Application for Consent B10-2009, owner being United Church of Canada, c/o Carl Sampson Chairperson of the Trustees, Grace United Church, to consider a request to sever a 1,066 square metre parcel on the northern portion of the property, containing an existing dwelling; while retaining a 3,806 square metre parcel, containing an existing church.

Michael further noted the Public Meeting is also to address a potential condition of Consent on Application B10-2009 to recognize the existing usage on the retained and severed parcels; the deficient front yard and southerly interior side yard setbacks of the existing church on the retained parcel; and the deficient lot frontage of the retained parcel.

Michael further noted the effect of this By-Law is to rezone the retained parcel to the Institutional I Zone; the severed parcel to the Residential R2 Zone; and to establish a new minimum front yard setback of 3.0 metres, minimum southerly interior side yard setback of 3.7 metres and minimum lot frontage of 25 metres on the retained parcel.

Michael noted the subject lands of this By-law are owned by The United Church of Canada, known as Grace United Church, and are legally described as Town Plot Part Lot 5 and Part Lot 6, Napier E/S, Town of The Blue Mountains. These lands are locally described as being located on the west side of Bruce Street South between Alfred and Napier Street, within the Community of Thornbury with a civic address of 138 and 140 Bruce Street South.

Michael further 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.

Michael then 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 Consents 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 Deputy Clerk then noted Notice of the joint Public Meeting was given in accordance with the provisions of the Planning Act and read correspondence as received from area resident Douglas Lawrence, Grey Sauble Conservation Authority, Grey County Transportation and Public Safety Department and Grey County Planning Department.

Councillor Gamble then noted there is a mutual driveway on the property and questioned what the severed parcel will use as a driveway. Planner Bryan Pearce replying the Applicant has applied for an entrance permit for the proposed severed parcel from Grey County Transportation.

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

## **B.2 Notice of Application & Public Meeting to consider a Zoning By-law Amendment**

Part Lots 13, 14 & 15, Concession 2 & 3 - 636697 Ontario Ltd.  
(Scenic Caves Nature Adventure)

Chair Martin read the notice and noted the purpose of the By-Law is consider a request by Scenic Caves Nature Adventure to construct the following new buildings and uses: a 112 sq. metre office building, a 112 sq. m maintenance building, a 55 sq metre storage shed, a 225 square metre storage/maintenance building, a skating rink plus skating loop with a 55 square metre utility building and 112 square metre change room/washroom building. The By-law also provides to relocate a viewing platform that was approved in 2002. Scenic Caves Nature Adventure went through a number of development approvals in 2002 when a

significant number of new features were added to the property. The buildings and uses proposed today expand on those previous approvals.

Michael further noted the effect of this By-Law is to recognize the following changes to the Zoning By-Law: 1. to modify Exception 45 to also permit an office building, two accessory maintenance and storage buildings to a maximum floor area of 300 square metres, further noting the office building may be permitted within the 35 metre setback from the centreline of the County Road. 2. To establish building envelopes within the Rural A1-154 zone for the maintenance and storage building as well as relocating the viewing platform. 3. The portion of the lands would be rezoned to the Hazard H-154 zone and to establish a building envelope for the skating rink, skating loop, and two accessory buildings. 4. To amend Exception 154 to also permit the skating facilities and to permit the maintenance and storage building to have direct access via an unopened road allowance. 5. To apply the Holding 'h' symbol to address requirements for Site Plan Approval, and other related matters.

Michael further noted if a person or public body does not make oral or written submissions at a public meeting to the Town of The Blue Mountains in respect of the proposed Zoning By-Law Amendment, the person or public body is not entitled to appeal the decision of Town Council to the Ontario Municipal Board, and may not be added as a party to the Hearing of an appeal before the Ontario Municipal Board.

Michael then 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 Consents 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 Deputy Clerk then noted Notice of the Public Meeting was given in accordance with the provisions of the Planning Act and read correspondence as received from Grey Sauble Conservation Authority, Nottawasaga Valley Conservation Authority, Grey County Transportation and Public Safety Department and Grey County Planning Department.

Rob Armstrong of Travis & Associates then reviewed the Report, noting the owner of Scenic Caves, Rob Thorburn and General Manager Linda Service, were in attendance. Rob noted the development is a four year plan for additional structures, mainly for housing equipment and staff and for indoor maintenance of equipment. Rob further noted the development will occur in phases.

Rob noted in 2002 a By-Law Amendment was passed for the suspension bridge, zip line and eco adventure development.

Rob then noted the administration building would be completed in phase one, the maintenance storage building would be completed in phase 2 and the ATV storage building would be completed in phase 3.

Rob noted Grey County's setback requirements are being met.

Rob then noted the maintenance storage building would be completed in phase 4, further noting this would be the largest of the buildings, being 225 square metres.

Rob then noted phase 5 would include the skating loop and rink with two buildings being 55 square metres and 112 square metres.

Rob then noted other components of the expansion, which do not require a zoning amendment will be developed, including lighting for the Nordic Trails, a second zip line and a viewing platform. Rob further noted that all development will be screened by the trees and will not be seen from below.

Rob noted the consultants will meet with the GSCA and review their concerns and further noted the Karst Study has been completed.

Deputy Mayor McKinlay then questioned the location of the storage building, Rob replying it is on top of the rock, not connected to any trails and noted the building will be used for the storage of picnic tables.

Duncan then questioned the location of the Bruce Trail route, David replying he is aware of this issue and further noted Director of Recreation Shawn Everitt has looked at trail connectivity via the second concession and noted Shawn is looking into this.

Michael then questioned access to the storage building via the unopened road allowance, Rob replying the driveway to the storage building on top of the rock would be maintained by Scenic Caves and would not be for public use.

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

### **B.3 Notice of Public Meeting to consider the Adoption of an Official Plan Amendment to amend Section 11 Implementation**

Chair Martin read the Notice noting the proposed Official Plan Amendment amends Section 11 Implementation of the Town of The Blue Mountains Official Plan by: setting out what information and material will be required prior to the consideration of applications under Section 22 (Official Plan Amendments), 34 (Zoning By-Law Amendments), 41 (Site Plans) and 51 (Subdivisions and Condominiums) of the *Planning Act*, requiring applicants seeking a *Planning Act* approval to consult with the municipality prior to submission of certain applications under the *Planning Act*, and providing Council with an option of requiring a public open house as part of the process of informing the public and obtaining the views of the public prior to consideration of amendments to the Official Plan and Zoning By-Law.

Michael further noted the purpose and effect of the proposed official plan amendment is to amend Section 11 Implementation, to incorporate the requirements and permissions afforded to the municipality as a result of Bill 51, the *Planning and Conservation Land Statute Law Amendment Act, 2006*, coming into force. The proposed amendment is Town-wide and applicable to the entire municipality. The purpose of the Statutory Public Meeting is to obtain input with regard to the proposed Official Plan Amendment.

Michael then noted if a person or public body does not make oral submission at a public meeting or make written submissions to the

Corporation of the Town of The Blue Mountains before the proposed official plan amendment is adopted, the person or public body is not entitled to appeal the decision of the Corporation of the Town of the Blue Mountains to the Ontario Municipal Board.

The Deputy Clerk then noted Notice of the Public Meeting was given in accordance with the provisions of the Planning Act and read correspondence as received from Grey Sauble Conservation Authority, Nottawasaga Valley Conservation Authority and the Niagara Escarpment Commission.

Senior Policy Planner then reviewed the Official Plan Amendment No. 16 amending Section 11 of the Official Plan. Cindy noted complete application requirements are required under the Planning Act but in order for a municipality to move on these powers, they must be identified in our Official Plan.

Cindy noted consents are not included in this Official Plan Amendment and further noted that pre-consultation will be required on Planning Act applications, further noting Council has held public open houses for official plan amendments and zoning by-law amendments as required, in the past.

Michael then questioned reference to the number of studies, Cindy replying that the chart was recently completed and will be brought forward at the Development Control Committee before being brought to Council for approval.

Michael then questioned if any comments had been received from the development community, Cindy replying none to date. Director of Planning & Building David Finbow then spoke noting the list is very comprehensive and noted the Planning Department is attempting to establish those reports that are required on a per application basis, further noting at no time will all reports be required by one applicant, further noting the County has included such a report in their new Official Plan. David noted the chart has been circulated internally at the Town Office and the chart will be addressed at the next Development Control Meeting. David noted he and the Director of Engineering and Public Works have had extensive discussions and further noted engineering and public works issues are identified in the report.

Councillor Kennedy then referenced item #40 Shadowflicker on the chart and questioned what will happen if Bill 150 is passed, Cindy noting all Grey County studies are noted in our report, David further confirming the requirements of the Green Energy Act have been included just in case.

Deputy Mayor McKinlay then questioned if this process will tighten up the requirements of applicants, Cindy concurring and further noted the list will be prepared and provided to applicants at application time.

Duncan then questioned if the settlement area capability study is identified, Cindy noting the County provided definition of settlement study, which is included in this Report.

David then noted the Town has an obligation to plan the Town's growth and noted the settlement area capability is reviewed every five years.

David then spoke noting the application process will be more efficient and because of the pre-consultation process applications will be processed sooner.

Resident Michael Seguin then spoke questioning if the amendment requires peer review, David noting the Planning Department regularly uses outside consultants for peer review and will continue to use consultants noting the proponent pays for peer review.

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

## **C. Staff Reports**

### **C.1 Watercourse Realignment on Town Lands (Related File - Lora Bay Heights) – PL.09.52**

Director of Planning & Building David Finbow reviewed the Report noting the Report is to consider the realignment of a watercourse on Town lands, further noting the alignment is marginal.

David further noted GSCA has identified there should be a 30 metre setback and further noted the realignment would be decided at a later time. David further noted the Department of Fisheries has reviewed the Consultant's Report and noted they have come up with a plan to allow for the realignment with an improved fish habitat.

David then noted staff has reviewed concerns including the Georgian Trail connectivity, further noting the Director of Recreation Shawn Everitt has reviewed the area for trail connectivity, and the Senior Management Team has reviewed other aspects including servicing and noted the proponent will derive the benefit of an additional 5 – 6 units.

Deputy Mayor McKinlay then questioned if the watercourse is a drain or a watercourse, David replying it serves both purposes, for fish and drainage, further noting the Municipality would require permission from GSCA to complete work on the watercourse.

Councillor Kennedy then questioned the proposed use of the unopened road allowance on King Street, David replying there are no plans for this right now.

Councillor Gamble then questioned if there will be criteria of creek slopes and if there will be a requirement for deposit to the Town to ensure the work is completed to the Town's standards, David replying the Department of Fisheries Permit addresses this type of issue and GSCA will be contacted as well, further noting insurance requirements identified in Town Report.

Bob then questioned if the realignment will improve the ponding of water along the Georgian Trail, David replying this issue can be addressed through the Town's Municipal Works department.

Councillor McKean then questioned the number of units permitted at this development as the site sits now, David replying the number of units will

be addressed at a later date, further noting the realignment of the watercourse is the only issue being dealt with today.

Duncan then questioned if the realignment could proceed even if no development occurred, David replying yes the realignment could occur though it is unlikely further noting the Municipality would be supportive of this.

David then noted that the Development Application could not be dealt with before the watercourse was dealt with.

Councillor McGee then questioned if Council is dealing with the realignment on just the portion on Town land, David replying yes on the unopened right away.

David noted the realignment should meander, not just be straight, John McGee then noted whatever is best for the fish will be how the realignment is created, David concurring.

Duncan then noted Gardner Lee's Report requires a meandering stream, slowing down the water.

Moved by: D.R. McKinlay                      Seconded by: R.J. Gamble

**THAT** Council receive Staff Report PL.09.52 respecting "Lora Bay Heights, Watercourse Realignment on Town Lands";

**THAT** Council authorize the proposed watercourse relocation on Town lands with such related works and requirements being at the sole cost and expense of the proponent as outlined in the Department of Fisheries and Oceans Authorization for Works or Undertakings Affecting Fish Habitat and subject to any requirements of the Grey Sauble Conservation Authority;

**THAT** Council authorize the Town Clerk to sign/execute on behalf of the Corporation any permit applications necessary to carry-out such works; and

**THAT** prior to the Town Clerk signing/executing any permit application that the proponent may make, and prior to the work proceeding, the proponent must make application for and obtain a Municipal Works Permit with the following insurance requirements:

1. General Liability Insurance in the amount of not less than \$5,000,000.00 per occurrence naming the Town as an additional insured;
2. Automobile Liability Insurance with an inclusive limit of not less than \$2,000,000.00 per occurrence; and,
3. Environmental Pollution Liability Insurance of not less than \$2,000,000.00 and shall include the Town as an additional insured, Carried.

**C.2 Application for Zoning By-law Amendment – PL.09.38  
Lots 47 & 48, SW King Street, Lots 47 & 48, Part of Lots  
49 & 50, NE Arthur Street - Lampton Greens Corporation  
(Lora Bay Heights)**

Chair Martin then noted there is some controversy over this Report, further noting if the public disagrees, that they can meet with the Clerk to obtain a deputation form for an upcoming Council meeting.

Director of Planning & Building David Finbow then spoke noting receipt of correspondence from Cameron Street resident today requesting the matter be deferred so other Cameron Street residents can become aware of the matter.

Planner Shawn Postma then reviewed the Report for a zoning by-law amendment, further noting the public meeting was held in 2008. Shawn noting the Applicant is requesting an amendment to the zoning to permit 29 townhouse units on the property, reducing the front, side and rear yard setbacks, further noting the holding symbol would be used, Shawn further noted the realignment of the watercourse was to increase the development density.

Shawn noted the Town has only received the application for zoning by-law amendment at this time, further noting the draft plan approval would be premature at this time.

Shawn noted the Official Plan Amendment has been reviewed for residential uses and is in line with the Official Plan, further noting town home dwellings are approved uses within desired density. Shawn reviewed the buffering, policy and access points attempting to minimize the impact on neighbouring lands.

Shawn then noted reduced setbacks have been proposed and the Town has recommended that these reduced setbacks will not be approved until the draft plan stage of development.

Shawn reviewed the goals and objectives of the Town, noting quality and quantity of the coldwater stream watercourse.

Shawn noted a large number of concerns have been raised through the public meeting and noted Town staff have made recommendations to the committee.

Shawn noted the RM1 zone does allow Town home units allowing 10 – 13 units on this site.

Shawn further noted the zoning by-law amendment minimizes the impact of Townhomes on neighbouring lands, reducing the height from 3 stories to 2.5 stories, Shawn further reviewing the concerns over a retaining wall to determine how the retaining wall can be reduced.

Shawn then reviewed the visitor parking, snow storage, access on and from the site which will be reviewed further at site plan approval stage.

Councillor McGee then questioned the location of the house at the top of the hill and the hazard lands location and questioned what is the advantage of passing the zoning by-law amendment when Council does not know what will be built on the site, David replying the draft zoning by-law depicts a 30 metre setback from the watercourse and identifies current dwelling on the location.



Deputy Mayor McKinlay then questioned if there will be access to the Georgian Trail, Shawn replying yes.

Duncan further questioned if there will be affordable housing on the site, David replying there are a lot of details to be worked out and further noted there are no policies within the Official Plan now regarding affordable housing, but noted the Town is working with developers to build smaller units in the development. Duncan then questioned what is the proposed density on the property, David then reviewed policies in the Official Plan noting these lands are in the Thornbury Official Plan, noting intensification should be addressed noting higher and more intense units need to be addressed. Shawn noted the Official Plan designation gives a wide range of uses, further noting density is reviewed on a case by case basis. Duncan then questioned why a higher density is more desirable here versus elsewhere in the municipality, Shawn noting this development is closer to town and major roads.

Councillor Gamble then expressed concern with the entrance to the property on Peel Street, further noting the developer should be required to make the entrance safe and further questioned if Peel Street will be reconstructed to satisfy safety concerns, David replying the Director of Engineering and Public Works has concerns with Peel Street, further noting Peel Street will also be dealt with at the detailed review of the site plan application.

Bob expressed concern with the content of the zoning by-law amendment at this point.

Councillor Kennedy questioned if the Town would sell the unopened road allowance in that area, David replying not at this time, further noting the proponent does not need our land at this point, and further noted the unopened road allowance is mainly hazard land.

Duncan then questioned if Peel Street would be eligible to be upgraded with development charge reserves, Consultant Rob Armstrong replying yes it is eligible to be upgraded through development charges.

Councillor McKean then spoke questioning when the setbacks requested by the Grey Sauble Conservation Authority will be addressed, David replying the Grey Sauble Conservation Authority is adamant of the 30 metre setback

Duncan then questioned if the zoning by-law amendment is adopted as presented by the Committee and Council, what happens if the setback is decreased at a later time, David replying the reduced setback permitted by the zoning by-law would have to be reapplied for.

Moved by: D.R. McKinlay      Seconded by:      Cameron Kennedy

THAT the Planning Committee receive Planning Staff Report PL.09.38, "Application for Zoning By-law Amendment– Lampton Greens Corporation (Lora Bay Heights), Lots 47 & 48, SW King Street and Lots 47 & 48, Part of Lots 49 & 50 NE Arthur Street, Town of The Blue Mountains"; and

THAT Council enact a Zoning By-law Amendment to rezone the subject lands from the Development (D) zone and Hazard (H) zone to the Residential Multiple (RM1-h) zone and Hazard (H) zone.

In speaking to the recommendation, Deputy Mayor McKinlay then commented that this recommendation is for rezoning, not an approval of a development, further noting the concerns received are not with respect to this zoning by-law amendment based on the information this evening.

Chair Martin concurring with Duncan, further noting this by-law does not take effect until the site plan is in effect, Carried.

**C.3 Draft Plan of Condominium – PL.09.48,  
County of Grey File #42-CDM-2009-01  
Willow Creek At Blue Inc.  
Parts 1 & 2, RP 16R-8686;  
Part Lot 18, Concessions 1 & 2;  
689616 Monterra Road**

Moved by: Cameron Kennedy Seconded by: D.R. McKinlay

THAT Council receive Planning Staff Report PL.09.48, “Draft Plan of Condominium County of Grey File No. 42-CDM-2009-01” – Willow Creek At Blue Inc.; Parts 1 & 2, RP 16R-8686; Part Lot 18, Concessions 1 & 2; 689616 Monterra Road; Town of The Blue Mountains”; and

THAT Planning Staff supports granting approval of the Phased Standard Condominium by the County of Grey conditional upon the following:

1. That Committee of Adjustment Decision A05-2009 be final and binding; and
2. That the existing Development Agreement executed on the 30<sup>th</sup> day of October, 2008 be amended to reflect the phasing lines consistent with the Draft Plan of Condominium County of Grey File No. 42-CDM-2009-01; and

THAT Planning Staff supports Draft Plan of Condominium County of Grey File No. 42-CDM-2009-01 being exempt from the application process based on the current approval status; and further

THAT Council authorize the forwarding of this Report to the County of Grey as comments on the application for Plan of Condominium, being County of Grey File No. 42-CDM-2009-01 for consideration, unanimously Carried.

**C.4 Application for Zoning By-law Amendment – Removal of  
Holding ‘-h’ symbol PL.09.46  
Lots 1 to 36, Plan 16M-24 and Lots 1 to 7, Grey Vacant Land  
Condominium Plan 81 – Part Lot 25, Concession 7**

Moved by: John McGee Seconded by: John McKean

THAT Council does receive Planning Staff Report PL.09.46, “Application for Zoning By-law Amendment - Removal of Holding ‘-h’ Symbol; The Ridge Estates; Lots 1 to 36 of Registered Plan 16M-24, and Lots 1 to 7 of Grey Vacant Land Condominium Plan 81; Part Lot 25, Concession 7; The Blue Mountains”; and

THAT Planning Staff supports a Zoning By-law Amendment to remove the Holding '-h' symbol for the Phase 1 lands comprised of Lots 1 to 36 of Registered Plan 16M-24 and Lots 1 to 7 of Grey Vacant Land Condominium Plan 81, unanimously Carried.

**C.5 Application for Zoning By-law Amendment – PL.09.39  
Part Lot 7, Lots 8 & 9, Concession 1 - Osler Bluff Ski Club**

Director of Planning & Building David Finbow spoke to the Report, handing out a letter from the Niagara Escarpment Commission dated May 4, 2009 requesting the deferral of the matter. David further noted solicitor for the applicant, Stephen Christie present.

Planner Shawn Postma then reviewed the Report noting the Public Meeting was held in July 2008. Shawn noted the zoning that was in place did not allow certain devilment of existing chalets, further noting the zoning proposed is based on policy of the official plan, intending that the ski club will eventually connect to the Town water and sewer and proceed to a be organized as a condominium corporation at some time in the future. Until then, the official plan provides for new zoning by-law to be passed until services are available for the plan of condominium. Shawn further noted the official plan will permit redevelopment but must be minor in size and height. Shawn noted a large number of meetings will be held to determine what should be incorporated into the By-law. Most uses were with units above the escarpment toe. Shawn further noted the Ministry of Environment has jurisdiction over water and sewer at cabins and individual septic systems will be the only approved form of septic system and will be reviewed on a case by case basis.

Shawn noted the 'toe of slope' has been identified by the Niagara Escarpment Commission ("NEC") and further reviewed the site performance standards for chalet redevelopment.

Shawn reviewed discussions with Osler and NEC regarding permitted expansions on cabins.

Shawn noted four cabins are above the escarpment slope that have no access in the winter (residents walk across ski slope), and further noted emergency access is an issue, and further noted these cabin owners are permitted to remain 'as is'.

Duncan then questioned if the zoning by-law amendment is passed, if an amendment to the by-law could be applied for by the cabin owner, Shawn replying yes, but the owner would have to comply with requirements. Shawn noted accessory building requirements have to be complied with. David then spoke noting Osler Bluff has a committee that deals with applications internally before proceeding to the Town for approval. Duncan then questioned why the Ministry of Environment deals with septic systems, not the Health Unit, David replying the Grey Bruce Health Unit is contracted by the Town to provide services related to Part 8 of the Ontario Building Code. Part 8 does not apply to lands, such as the Osler Ski Club property, that have a daily design flow in excess of 10,000 L. These types of systems require a MOE Certificate of Approval.

Duncan then questioned the contents of the NEC letter, David replying the NEC is speaking about 17 of the units above the escarpment having an issue with the additional size and height of these units. David further noted the restrictions imposed will be tight.

Moved by: D.R. McKinlay      Seconded by:      Cameron Kennedy

THAT Stephen Christie, solicitor for Osler Bluff Ski Club, be heard as to the deferral request made by the Niagara Escarpment Commission, Carried.

Stephen Christie then spoke to the Niagara Escarpment Commission letter noting it has been a long process and reviewed the process to date, and reviewed discussions with the NEC to date.

Stephen noted he met with NEC on March 2, 2009 after which he believed an agreement was in place with respect to the proposed zoning by-law. Stephen noted in the last week the NEC has changed the height restriction noting changes then requested to addition sizes.

Stephen noted a number of cabin owners want to sell or redevelop their cabins, but they cannot do anything as no one knows what the rules are.

Chair Martin thanked Stephen Christie for his words.

Moved by: Cameron Kennedy      Seconded by:      John McKean

THAT the Planning Committee receive Planning Staff Report PL.09.39, "Application for Zoning By-law Amendment– Osler Bluff Ski Club, Part Lot 7, Lots 8 and 9, Concession 1, Town of The Blue Mountains"; and

THAT Council grant a Zoning By-law Amendment to rezone a portion of the subject lands from the Recreational Ski (SF-73) zone and Private Open Space (OS2) zone to the Recreational Ski Facility (SF) zone, Residential (R3) and Private Opens Space (OS2) Zone. New Exception numbers are also required to recognize chalet redevelopment requirements for those chalets located below the Toe of the Niagara Escarpment, above the Toe of the Niagara Escarpment with vehicle access, and above the Toe of the Niagara Escarpment without vehicle access.

In speaking to the Recommendation, Councillor Kennedy commented that in today's economy the Town should not hold matters up because of bureaucratic issues.

Councillor Gamble then spoke noting the NEC has had since July 2008 to deal with this matter, unanimously Carried.

#### **C.6 Draft Plan Revisions & Zoning By-law Amendment – PL.09.53 The Neighbourhoods of Delphi -**

Moved by: John McGee      Seconded by:      Cameron Kennedy

**THAT** Council receive Staff Report PL.09.53 respecting "The Neighbourhoods of Delphi – Draft Plan Revisions & Zoning By-law Amendment";

**THAT** Council advise the County of Grey that the Town supports the proposed revisions to Draft Plan of Condominium 42-CDM-2007-15 as set out in the letter dated March 10, 2009 from Travis and Associates Inc. and denoted on the “Redline Revision to 42-CDM-2007-15, Draft Plan of Condominium of Vacant Land of Condominium of Block 7”, as prepared by Patten & Thomsen Limited and dated received March 12, 2009; and

**THAT** Council enact a Zoning By-law Amendment in accordance with the Draft Zoning By-law and related Schedules attached to this Report, unanimously Carried.

**C.7 The Blue Mountains Billboard Sign – Grey Road #19 (Craigleith)  
PL.09.50**

Moved by: Cameron Kennedy Seconded by: John McKean

THAT Council receive Staff Report PL.09.50 and recommend that the Town not renew the existing Licence of Occupation Agreement and that the sign be removed forthwith. Planning Services Staff will work with the owner of the lands in terms of acquiring a more suitable entry location through the processing of the future Plan of Subdivision application with funding addressed through future Town budgets.

Councillor Gamble then questioned how long before negotiations commence, Director of Planning and Building David Finbow replying no application has been received, but further noted he believes it is forthcoming with respect to securing an entry gateway in that general area.

Councillor Kennedy questioned if the new sign could have a solar component, David replying he will look into this, but noted further that there is no money in the budget for this, unanimously Carried.

**C.8 Comprehensive Zoning By-law Review Update – PL.09.47**

Director of Planning & Building David Finbow spoke to the Report, noting it is for information purposes only, noting a further report will be received by Council in June.

Moved by: D.R. McKinlay Seconded by: John McKean

THAT Council does receive Planning Staff Report #PL.09.47, “Comprehensive Zoning By-law Review” for information purposes, unanimously Carried.

**C.9 Housing Needs Study – SPS.09.02**

Director of Special Projects Peter Tollefsen spoke to the Report noting it is for information purposes only and noted he is looking for a member of council to volunteer to assist with the proposal and selection.

Moved by: D.R. McKinlay Seconded by: Cameron Kennedy

THAT Council receive Staff Report SPC.09.02 Housing Needs Study for information purposes; and

THAT Council appoint Councillor John McGee to be a member of the Housing Needs Study Steering Committee as well as assist staff with the RFP consultant evaluation/selection process, unanimously Carried.

**C.10 Draft Policy on Significant Woodlands within the Niagara Escarpment Plan Area – PL.09.45**

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

THAT Council does receive Planning Staff Report #PL.09.45, “Draft Policy on Significant Woodlands within the Niagara Escarpment Plan Area” for information purposes and that these comments be forwarded to the Niagara Escarpment Commission for consideration.

AND THAT the Niagara Escarpment Commission be advised of the Town’s support of the County’s objection to the process used to approve the Significant Woodlands Policy.

In speaking to the Recommendation, Councillor McKean noted a map from Grey County and the NEC would have been helpful, unanimously Carried.

**C.11 Collingwood “L9Y” Postal Change Update – PL.09.51**

Moved by: John McGee                      Seconded by:                      Cameron Kennedy

That Council receive Planning & Building Staff Report PL.09.51 respecting Collingwood “L9Y” Postal Change Update for information purposes, unanimously Carried.

**C.12 Memorandum of Understanding for Private Pools – SRB.09.12**

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

THAT Council receives Staff Report SRB.09.12 to amend Section 5.2 of the Swimming Pool Fence By-Law No. 2002-8, as amended, so as to incorporate the attached Memorandum of Understanding and Indemnity for the Installation of Private Pools, unanimously Carried.

**C.13 Board of Directors of the Ontario Association of Committees of Adjustment & Consent Authorities – PL.09.49**

Moved by: D.R. McKinlay                      Seconded by:                      John McKean

THAT Council endorse Robert B. Waind’s application to become a member of the Board of Directors of the Ontario Association of Committees of Adjustment & Consent Authorities, unanimously Carried.

**C.14. Pre-Consultation By-law – OPA - PL.09.40**

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

THAT Council does receive Planning and Building Services Staff Report #PL.09.40, "Pre-consultation By-law" for information purposes; and

THAT Council enact a by-law to require applicants to consult with the Corporation of the Town of The Blue Mountains prior to the submission of development applications, unanimously Carried.

#### **D. Correspondence**

Moved by: John McKean      Seconded by: Cameron Kennedy

THAT the Committee of Adjustment Minutes of February 19, 2009 be received as circulated, unanimously Carried

#### **E. New and Unfinished Business**

None

#### **F. Closed Session**

None

#### **G. Next Meeting Date**

June 1, 2009

#### **H. Adjournment**

As there was nothing further before the Chair the Committee then dealt with the following Resolution:

Moved by: Cameron Kennedy      Seconded by: John McGee

THAT this Planning and Building Committee meeting does now adjourn, unanimously Carried.